

# THE MEMOIRES

OF THE  
LIVES and ACTIONS

~~and~~ OF  
*James and William*  
DUKES

OF  
HAMILTON and CASTLEHERALD, &c.

In which an Account is given of the Rise and Progress  
of the CIVIL WARS of

SCOTLAND

With other great Transactions both in England and Germany, from  
the Year 1625, to the Year 1652.

Together with many  
LETTERS, INSTRUCTIONS, and other PAPERS,  
Written by

King Charles the I.

*Never before Published.*

All drawn out of, or Copied from the Originals.

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By GILBERT BURNET, *late Bp. of Salisbury*

In Seven Books.

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Most Excellent Majesty, MDCLXXVII.



THE

# MEMOIRS

LIVES AND DEEDS

OF

SCOTT

BY

ALL drawn out of an original

By G. A. R.

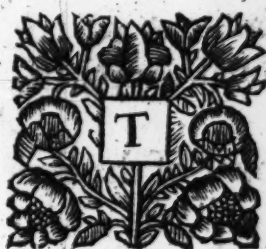
THE

LONDON

Printed by G. A. R.

# To the King.

*May it please Your Sacred Majesty,*



THE following History being a Relation of Your Royal Fathers Counsels and Affairs in Scotland, I hope for an easy Pardon of my Presumption in offering it to Your Majesty. Your Concern in a Work that relates so much to the King, Your Blessed Father, moved You to look on it, and read some parts of it; and after You had honoured it with a Character too advantageous for me to repeat, You were Graciously pleased to allow me Your Royal Licence, not only to Publish it, but to Address it to Your Self: and therefore I hope Your Majesty will favourably Accept this tribute of my Duty, which with an humble Devotion I lay down at Your Feet.

My Zeal for Your Majesties Honour and Service engaged me first in this Work, and the same Passion which I derived from my Education, and still governs my Heart and Life, makes me now Publish it. For nothing does more clear the Prospect of what is before us, than a strict Review of what is past; which I have laboured to make with all possible Fidelity and Diligence. I know I shall not escape Censures, since few can bear a true and free

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*The Epistle Dedicatory.*

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free History ; but as I have set down nothing for which I have not Authentick Vouchers, so I have observed Your Majesties *Acts of Oblivion and Indempnity*, as much as could consist with the Laws of History, and have avoided the naming of Persons upon Ingrateful Occasions. But no Precaution can secure one from severe Challenges that writes so near those Times, while many Persons concerned are yet alive : yet if Your Majesty continues to honour these *Memoires* with Your Royal Approbation, I shall easily bear them.

SIR, You have here a true Account of the Services and Sufferings of two of Your Subjects, who dedicated themselves to Your Majesties Interests, and became Sacrifices for them. The Elder of these Brothers had not the honour of being known to Your Majesty, yet he lost his life in Your Reign. The Younger survived as long as he could serve Your Majesty : but when he saw his Life like to be unprofitable to Your Service, it became uneasy to himself, which made him so prodigal of it in Your own sight. And Your Majesty does his Memory the Honour of remembring him still with the highest expressions of Esteem and Acknowledgment which a King can bestow on a Subject.

They had that Unblemished Loyalty conveyed to them from their Ancestors as the Entail of their Family, which has always payd an Uninterrupted Fidelity to the Crown, and they have transmitted it as an Inheritance to those who have succeeded them, who have already given great Demonstrations of most sincere and Loyal Duty to Your Majesty.

That



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*The Epistle Dedicatory.*

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That God of his Infinite Mercy may preserve  
Your Majesty, and bless you with Wise Counsels,  
Obedient Subjects and Prosperous Undertakings,  
and after a long and happy Reign on Earth, may  
Crown You with an Incorruptible Crown of Glo-  
ry, is the daily Devotion of,

May it please your Sacred Majesty,

London, the 21<sup>st</sup> of  
October, 1673.

Your Majesties most faithful,

most humble, and most loyal

Subject and Servant,

*Gilbert Burnet.*

CHARLES R.

**W**Hereas Gilbert Burnet, one of Our Chaplains in Ordinary, hath composed a Book, entituled, *Memoires of the Lives and Actions of the Dukes of Hamilton*, which We have Seen and Approved; and whereas he hath humbly desired Our Royal Licence for the Printing and Publishing of the same, We have thought fit to condescend unto that his Request, and We do accordingly hereby Grant Our Royal Licence and Priviledg unto the said Gilbert Burnet, his Heirs, Executors, Administrators, and Assigns, for the sole Printing and Publishing of the foresaid Book, for the Term of fourteen Years, to be computed from the day of its being first set forth. And Our Will and Pleasure is, and We do hereby Require and Command, that during the said Term of Fourteen Years, no Printer, Publisher, or other Person whatsoever, Our Subjects, do presume to Imprint, or cause to be Imprinted, without the knowledg and consent of him the said Gilbert Burnet, his Heirs, Executors, Administrators, or Assigns, the foresaid Book, in whole or in part, or to Sell the same, or to Import into Our Kingdom any Copies thereof, Imprinted in Paris beyond the Seas, upon pain of the Loss and Forfeiture of all Copies so Imprinted, Sold, or Imported, contrary to the Tenour of this Our Royal Licence, and of being further proceeded against as Offenders against the Act made in the Fourteenth Year of Our Reign, entituled, *An Act for Regulating Printing, and Printing-presses*, and suffering the Mulcts, Penalties, and Inflictions in the said Act, particularly mentioned, as the Cause shall require.

*Given at Our Court at White-Hall, the third day of November, 1673. in the Five and Twentieth Year of Our Reign.*

By His Majesties Command,

*H. Coventry.*

# THE PREFACE.



*H*istories are of all Books the most universally read: the wiser find matter of great Speculation in them, and improve their Knowledge by the Experience these give them; and weaker Persons make them their Diversion, and entertain Discourse with them. But most Writers of History have been men that lived out of business, who took many things upon trust, and have committed many and palpable Errors in matters of Fact, and either give no account at all of the secret Causes and Counsels of the greatest Transactions, or when they do venture upon it, it is all Romance, and the effect of their Imagination or Interest.

And indeed the Authors of all the Histories that were written for near a thousand years together, being for the most part Monks, there is no great reason to think they were either well informed, or ingenuous in what they delivered to Posterity, though there is perhaps no Nation that is more beholding to their Labours than England is.

Of all men those who have been themselves engaged in Affairs, are the fittest to write History, as knowing best how matters were designed and carried on, and being best able to judge what things are of that Importance to be made Publick, and what were better suppressed. And therefore Cæsars Commentaries are the most Authentick, and most generally valued pieces of History; and in the next Form to these Philip de Comines, Guicciardine, Sleidan, Thuanus, and Davila, are the best received, and most read Histories, (only the last hath failed in some particulars:) for these men wrote of things in which they were considerable Actors, and had great Interest and good Information. Next to these, those that have had the perusal of the Cabinets of great Ministers, and of Publick Records, are the best qualified for giving the World a true Information of Affairs. This makes the most celebrated History of the Council of Trent be received over all the World as a Pattern of History. Strada and Grotius are also highly valued upon the same account.

But it has been commonly found, that Historians being generally of a Party, and having Ends to serve, or being under the curb of procuring Licences, have accommodated their Relation to the taste of those they intended to flatter, and so have corrupted the Truth with the concealment of many things fit to be known; and to make amends for that, have added as many Sophisticating Colours to make the best things look ill, and to give some fair appearances to the worst things. And this has generally detracted so much from the value of History, that most people begin to neglect such Books, for they do not believe that they write Truth. And it is no wonder many are full of such prejudices at Ancient Histories, for they reckon that men in all Ages were pretty near the same temper they find them to be of at this day, and there is such foul dealing in the Histories of our own Time, and things that are so eminently false are positively asserted, that from thence many conclude all other Writings of that nature are likewise to be suspected: only Forgery and Impudence has not now



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so much Art to conceal or disguise it with, as it had in former Ages, since most of our late Histories are written either in the style and strain of Panegyricks or Satyrs, which of all things an Historian that would be believed ought to avoid most carefully; for naturally all people are apt to suspect Interest or Malice, when they find much Flattery, or Passion in a History.

Too much Art does but disgrace it, for though Father Paul has written his History of the Council of Trent in as flat and plain a style as was possible, and Cardinal Pallavicini has adorned his with all the Beauty of Art and Wit; yet there appears somewhat so native in the one, and so laboured in the other, that it does much prepossess the Reader with an inclination to believe the one, and disbelieve the other.

A short and concise style, though it succeeded wonderfully with Tacitus, and not ill with Grotius; yet by the common Verdict of all men is judged not so proper for a History, which should open up things fully, so as to be easily understood by every Reader.

These common failings of Historians have in this last Age made people desire to see Papers, Records, and Letters published at their full length. Livy begun the making of Speeches in Councils, and at the heads of Armies, for States-men and Generals, and was much followed till within this Age, that these things became Universally distastful; and instead of that which was but the issue of the Writers brain, the World desires nothing so much as to see the Truth of things as they were really designed and acted, rather from some Original Papers, than from the Collections or Extracts of persons of whose Fidelity or Judgment they are not well assured.

Of all Nations in the world the French have delighted most in these Writings, so that the Memoires written in that Nation and Language since the days of Henry the 3<sup>d</sup>, would almost make up a Library: and every year we get over new Memoires of some one Great Person or another. And though there are great Indiscretions committed in publishing many Secrets and Papers, not fit for Publick View; yet this way of Writing takes now more in the World than any sort of History ever did. There is but one in this Island that hath hitherto written in that Method, and his Collections are so well received that it gives great encouragement to any who will follow him in it.

And indeed it is a much easier thing to write in this way than any other, for when a man undertakes a History, he ought to be well informed of all that passed on both sides, and is obliged to publish every thing that is of Importance for opening up the secretest Causes and Beginnings of great Changes or Revolutions; this being the chief Instruction that men receive from History, by which they are most enabled to provide against, and prevent mischief for the future. But he that writes Memoires from a Collection of Papers that are in his hands, has no such ties on him, being only obliged to give a faithful account of such things as are in his Papers; and where these fail, he is at no loss, but may well pass over such Particulars as occur not to him.

For the Lives of Great Persons, though it might have been expected that after the many excellent Patterns Plutarch had left the World, those should have been generally well written; yet there is no sort of History worse done, they being so full of gross Partiality and Flattery, and often swelled with trifling and impertinent things, so that it is no great wonder if this kind of Writing be much decried and neglected.

I had all these Considerations before me when I designed and drew this Work, and therefore will be more guilty if I transgress the Laws of Writing History without Partiality and Passion.

The

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*The late Civil Wars of this Island deserve a good and full History, as much as any Transaction in any part of the World. For it was a strange and unheard-of thing to see a Prince, whose Title was unquestioned, and who had great Virtues and eminent Piety, and was of the same Religion with His Subjects, and had never put any of them unjustly to Death, so oppressed by a prevalent Faction; and that a Party which was not headed by any new Pretender, nor under the united Authority of any one Person, but on the contrary was divided from the very beginning into two great Factions, should become so successful, as to defeat Him in the Field, take all His Garrisons, imprison His Person, and in end put Him to Death openly, with a Form and shew of His Justice, many thousands of His lamenting Subjects looking on; and that all this was done near so great and populous a City, which did universally pity His Condition, and abhor the Crime, and yet not so much as one Person made a Tumult to oppose it.*

*The Rise and Progress of such a War is a thing which every one desires to be particularly informed about: for though many have published Relations of those times on both sides, yet there is scarce any body satisfied either with the Truth of Matters of Fact, or with their way of Writing. But the first beginning and rise of the Civil Wars having been in Scotland, from whence they moved Southwards, there can be no clear Understanding of what followed until these first Disorders be truly stated.*

*This made me oft wish that some Moderate Pen were employed in giving a just and true Relation of the Reign of the late King. I was myself pretty early acquainted with a great deal more of the Truth of these Affairs than is generally known, having had the blessing of my Father's Conversation for many years, who had been a very exact Observer of all that passed. He was also much importuned by men of all sides to write the History of those distempered Times, being esteemed a Person of great Moderation and Candour; who, as he had his breeding in the Law, so lived in great Friendship with the most eminent Persons of both Perswasions: for before the Troubles began he was accounted a Male-content, but he did afterwards give such signal demonstrations of his Loyalty, that he was put from his Employment, and made to take a voluntary Exile on him, which was granted him as a great Favour by the Covenanters, who generally had much kindness for him, for all his being so contrary to their way. And Warriston, his Brother-in-Law, in whose hands were all the Original Papers of the Covenanters side, offered them to him for his Assistance, if he would undertake it; but he was over-grown with Age and Infirmities, and so could not set about so difficult a Work. But I received from him such Informations, as made me look on most of the Writers of those Times with Indignation, who were either utterly ignorant, or so basely partial, that Matters of Fact are falsely represented, and the whole Counsels and Secret Contrivances either quite passed over, or so palliated that there is very little truth in the Relations they have made.*

*And particularly, I wondred to find James Duke of Hamilton represented to the World, with such foul and base Characters, as if he had been a Monster both for Ingratitude and Treachery, though he had laid down his Life for the King, and involved his Estate in vast Debts for His Service. It seemed to me the greatest Injustice in the World, that one who served his Prince and his Country so long, and so faithfully, and sealed all with his Blood, should not only be deprived of the Honour due to his Memory, but that a company of ignorant and impudent Slanderers should do what they could to at-*



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*taint his Blood and Family, by the black Imputations they have cast on him, and that this should pass current without any Vindication.*

*This made me resolve, if ever I could meet with such Instructions as might direct me well to write an account of the late Troubles, and in particular to give a true and clear Relation of that Duke's Concerns, to set about it. I knew well the Temper of those who were most severe in their Censures on him, to be a violent and hot-headed sort of People, who were for nothing but Fire and Sword, and yet knew not how to do much more than to drink and swagger; and therefore, as I was naturally inclined to disregard their Blusterings, so I was apt to think his Counsels must have been moderate for tempering the eagerness of other mens Passions, which did enrage them so much against him; so that they having dispersed many false Stories of him, these were easily received by our Scribbling Historians, and have been made use of to poison the Truth of the History.*

*It is such a natural and constant effect of Passion to carry men to Extremes, that it is no wonder if those who had more temper and fore-sight, and studied to heal the Breaches, and followed more moderate Counsels, were hated on both sides; for in all times the Moderate Party is the weakest, and has most obloquie cast on it from all hands.*

*I also thought that I could not do a greater Service to my Country, than to enquire into the whole Course of the late Civil Wars. And I knew there were none so eminently Employed as the two Dukes of Hamilton, the one having been the Kings High-Commissioner in the beginning of them, and the other the Secretary of State in the sequel of them: therefore it was certain, that if their Papers had not been destroyed in the common fate of Scotland, I could not find a clearer thread to direct me than from them.*

*I shall not deny that I had many pre-engagements on me to have a high value of that Family, both from the Great Worth of those who now represent it, and from the Unblemished Fidelity their Ancestours have always payed the Crown, and their constant Affection to their Country; so that since the first Greatness of it in King James the third his days, who gave his Sister in Marriage to the Lord Hamilton, they were never in any Rebellion against their King, nor did they ever abuse their Prince's Favour to be a Grievance to their Country.*

*And though they stood next the Crown for fifty years together, from the year 1543, that King James the fifth died, till the year 1593 that Prince Henry was born, during all which time there was none but Queen Mary and King James of the Royal Blood: yet all that while their Deportment shewed, that they had no other design but to serve those Princes with all possible Fidelity and Zeal. And though Scotland was then much distracted with Intestine Broyles and Disorders, yet they never set themselves at the head of any Faction, nor departed from the Interests of the Crown.*

*When King James the fifth died, he left his only Daughter Queen Mary but a few days old, and the Government of Scotland fell by Right to the Earl of Arran, being her nearest Kinsman; and if such an Ambition, as the Enemies of that Family have pretended was hereditary to it, had been lodged in him, he would never have let such an Opportunity of raising himself slip out of his hands. But he was a Person of great Justice and Candour, and set nothing before his eyes but the Publick Good: so that Archbishop Spotswood tells of him in his History, that in his Court there was nothing seen that the severest eye could censure or reprove. In the Publick Government  
such*



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such a Moderation was kept, as no man was heard to complain : the Governour was reverently obeyed, and held in as great respect as any King's of preceding Times. *It is true, he was of too easy a nature, and his base Brother, who was afterwards Archbishop of St. Andrews, had great power over him, which did much prejudice his Reputation.*

*In the disposing of the Queen in Marriage, he had much to have said for himself, if he had married Her to his own Son, who was but a few years older than the Queen : but he shewed, he designed Her Greatness more than his own, and perhaps more than the true Interest of his Country, for I am far from thinking that he carried himself wisely in that, when he consented to send Her to the Dolphin of France, afterwards Francis the second : in acknowledgment of which, he was made Duke of Castle-herald ( or as it is pronounced by the French, Chastle-herault ) by the French King.*

After the Death of Francis the second, when Queen Mary returned into Scotland, the Duke of Castle-herald had again great advantages, if any such desire of Power had governed him : for the Reformation had then prevailed in Scotland, and he and all his Family, except his youngest Son, Lord Claud ( from whom descended the Earls of Abercorn ) were Protestants ; so that to have put himself at the head of that, was the likeliest way to have advanced his own Designs : but it appeared that he and his Sons embraced the Religion, not for Faction but out of Conscience, for he continued true and faithful to the Queen to the last ; of which She was so sensible, that ( beside many Publick Testimonies of Her confidence in them, such as the naming the Duke of Castle-herald her Adopted Father, and calling him still by that Name, and the referring Her whole Concerns, when She was a Prisoner in England, to his Care ) when that severe and unparalleled sentence of Death was to be executed on Her, She took a Ring off Her finger, and gave it to one of Her Servants, and ordered him to carry it to Her Cousin, Lord John Hamilton, who then represented his Father that was dead, ( his elder Brother being sick of a Frenzy ) and tell him, that that was all She then had to witness her great sense of his and his Families constant Fidelity to Her, and of their suffering for Her Interests ; and desired that it might be still kept in the Family, as a lasting Evidence of Her kindness to it, which is preserved to this day.

Nor was their Duty to the Crown at that time easy or cheap to them, for the contrary Faction designed to root them out of Scotland ; and therefore in one of their Mock-Parliaments their Blood was attainted, and their Estates and Honours were afterwards given to other Persons, and they were forced to seek shelter in England and France, till King James came to Govern by his own Counsels ; & then being also pressed to it by the Intercession of Queen Elizabeth, He restored them to their Honours and Estates, and created Lord John Hamilton Marquis of Hamilton, who was Grand-Father to the two Dukes, whose MEMOIRES I now publish. King James did also treat him with the same respect that the Queen, his Mother, had done the Duke of Castle-herald, and called him always Father ; and wrote to him often with the greatest Freedom and Familiarity that was possible : and when that King went to Denmark to bring home His Queen, He named him Lord Lieutenant of the South of Scotland, and left for him a Letter ( yet extant ) full of great Esteem and Kindness, to which He added this Postscript with his own Hand.

MY LORD, if my constant Trust had not been in you of your great Love towards me, I had not thus employed you upon such an occasion ; therefore I assure my self you will not frustrate my Expectation.

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He also called him to Christen one of his Children, and continued to the last to put great Confidence in him. That Lord did indeed deserve to be so used by him, for as he had with an invincible Patience and Loyalty submitted to the hard Usage he met with during that King's Childhood, and for some years after; so he made no Stirs nor Disturbance, but that little that was at Sterlin, An. 1585. so that when he was admitted to the King's presence, the King said to him, "My Lord, I did never see you before, and must confess, that of all this Company you have been most wronged; you were a faithful "Servant to the Queen my Mother in my Minority, and when I understood "not, as I do, the estate of things, hardly used. And though he was frequently invited by the Violent Church-party to head them in their Mutinous Courses, yet he would never engage in it. And when that old Lord was dying, as he was giving his Blessing to his Son, and reckoning up the most signal Favours of God to him, he named three more particularly. "The first was, That during all his Troubles, and notwithstanding the great Offers were made him in "France by the House of Guise, if he would change his Religion; yet God had "never left him to do so base a thing, though he lost his Interest in that Court "by refusing it. The other was, that he had never oppressed any of his Vassals and Tenants. And the third was, that he had never entertained one "thought contrary to the Duty he owed the Crown, and that no hard Usage he "met with had ever prevailed on him to any such Design, and therefore charged his Son on his Blessing to continue in the same Courses.

All this I thought needful to be said for the Honour of that Family, because Buchanan studied with much Art and Industry to cast an eternal Disgrace upon it. For as he from being a great Flatterer of Mary Queen of Scotland (which may be seen in his Dedication of his Incomparable Paraphrase of the Psalmes to Her) became Her mortal Enemy, and partly by Lies, partly by his cruel aggravating of some unjustifiable things, has written the History of Her Reign with so much Malice, that his Work stands condemned as a base Libel, by an Act of Parliament in Scotland: so being provoked by an Injury which a Servant of the Duke of Castle-herald's youngest Son did him, of which he thought he got not sufficient Reparation, and carrying a spite to them because they adhered to the Queen's Interests, he wrote of that Family with the most impudent and virulent Malice that was possible. And his admirable stile of Latine, in which he is inferiour to none that wrote since the days of Augustus, has made all Forreigners take their Informations wholly from him; and the Collectors of the General History of that Age, do for the most part draw all the Account they give of Scottish Affairs out of him; by which that Family hath suffered much in the opinions of Forreign Nations: so dangerous it is to provoke one that has much Malice, and can write History so, that it shall take with the World.

But that Writer contradicts himself so often in what he says of that Family, that small regard is to be had to it. And Lesly Bishop of Ross, Privy-Counsellour to Mary Queen of Scotland, who wrote the History of that time, and bore no great good will to the Duke of Castle-herald and his Children, for being such Promoters of the Reformation, speaks always of them with a great deal of Honour and Justice.

For the Father of those Dukes, he was, as Archbishop Spotswood truly calls him, a Nobleman of rare gifts, and fitted for the greatest Affairs, and was most Universally beloved by all his Countrymen: he was a very Graceful and Gallant Person, and of a most agreeable Conversation, and very obliging, and so did recommend himself to all sorts of Persons. King

James



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James finding him excellently qualified, brought him to Court, where he made a great Figure the rest of his Life.

All these things concurred to make me very desirous to see whether the late Dukes had continued in those steps their Progenitors went in, or had departed from them; therefore I told the Duke and Dutches of Hamilton that now are, that if I might have the favour and trust of perusing such Papers as remained in their hands, I should do my endeavours to make the best use of them I could, upon which they were pleased to send them all to me. The Collection was great, and in as great disorder; yet by a little care I brought them into some Order, and found I had very authentical and full Materials for a greater Work than I had at first designed: but having read many scandalous Pamphlets, that had charged these Dukes in divers particulars with an equal degree of Injustice and Malice, I found it necessary to enquire, as far as their Papers could carry me, into the Truth of these Reports, which forced me to be more particular than had been otherwise needful. And yet I hope the Reader shall have no great cause to complain of my tediousness, but that he shall find an Entertainment through the whole Work that shall not be unpleasant to him.

I have opened the Intrigues and Counsels of those Times as clearly as I could. This, some that perused the Work have censured much, as a disclosing the Secrets of Government; and because in some places errors of Government are neither concealed nor palliated, some advised me to pass these over, and not insist on them: but with this I could by no means comply, for I know no good that History does the World so much as the making Posterity the wiser, both by shewing the Faults of Ministers that raised the Discontents, and the Follies and Madnes of those who put all in confusion to get Grievances redressed. For the Jealousies that were conceived, either from the ill opinion of Ministers, or the consciousness of their own Guilt, made the Fomenters of those Troubles think, that neither Concessions nor Pardons were a sufficient Security, but that as soon as the Country and Government was settled, what they had done would be remembered and punished, and did drive the Faction much further than it seems they intended at first.

All this I wrote with the more Assurance, after I had presumed to tell His Majesty, that since I was writing of the late Times, I found it necessary to set down some Errours, that were committed even by some of the Ministers of the King, his Blessed Father, and I could give no true account of matters if these were not likewise related: upon which His Majesty most graciously told me, That such things were unavoidable in a History; and therefore He allowed me to tell the Truth freely.

Upon so gracious a Permission, I was the more emboldened to lay open things clearly, and to trace the Troubles of Scotland to their first Beginnings. It is true, there were some things that had much influence on Peoples Minds, of which I have given no Account, having found no Papers in this Collection to direct me in them: and these were the whole Progress of the Design for the Resumption of the Tithes into the Crown, and the restoring them to the Church, with all the steps that were made in it; which was so nice a point, and had so much of the subtilties of Law in it, that I did not think fit to meddle with it, especially it not lying before me in these Papers, nor having any Relation to the Concerns of these two Brothers. The other was the Proceeding in Parliament Anno 1633, when His late Majesty was Crowned, with the Petition that was afterwards drawn, for which the Lord Balmerino was tried, and found Guilty, and had Sentence of Death passed on him. Then did



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did the Party begin to be more united, and secret Engagements were given either to rescue him by Force, or to revenge his Death, upon which the Earl of Traquair procured a Pardon for him; but from that time the date of the Confederacy of that Party is to be reckoned, and though it lay quiet for some years, yet it was still fermenting, which made it burst forth upon the Crisis that afterwards appeared. They were also much encouraged to all that followed, by the Informations they had of the Malecontents in England; for a Gentleman of Quality of the English Nation, who was afterwards a great Parliament-man, went, and lived sometime in Scotland before the Troubles broke out, and represented to the men that had then greatest Interest there, that the business of the Ship-mony and the Habeas Corpus, with divers other things, of which there was much noise made afterwards, had so irritated the greatest part of the English Nation, that if they made sure work at home, they needed fear nothing from England. And of this the Duke of Hamilton, who had lived so many years in England, could not be ignorant: for so great a disease in the Body Politick, as a Civil War, does not break out on a sudden, but there go before it many Symptomes, which are well discerned by men of Judgment and Fore-sight; the matter must be brought to the nature of Tinder or Gun-powder, before a Spark can set it on Fire. And it was the Prospect he had of what was like to follow in England if once a War begun, that made him employ all his Endeavours to carry the King to as full Concessions as he could possibly obtain. This, to such as do not reflect on the State of England at that time, may perhaps appear mean, or Malice may give it a worse Character. But as no sort of provocation will justify any man, though of the clearest Courage, that will go and fight with a Sword loose in the hilt, but he must be concluded rash and inconsiderate; so the Duke knowing the disjointed condition of England, and apprehending that by all appearance the War would be unsuccessful, and that the Demands of the Faction would then grow higher, did as became a Wise and Faithful Minister, in trying all the ways he could think of to settle Matters before there should be any Breach; since the keeping the Kingdom in quiet, though upon terms which had been hard to the King, and derogatory to His Authority, was much to be preferred to a War that was like to prove fatal to the King and Kingdoms.

For all that while the Affection of the English to the Party in Scotland, did discover it self in many high Expressions, which others could not but see, and the King sadly, but too late, felt afterwards; for Princes most commonly see such things last of all their People; their pretending Flatterers, who are in truth their greatest Enemies, keeping up such Advertisements from them as long as can be, as if one out of fear to awaken his Master, should let him sleep when his House is on fire, till it were scarce possible for him either to quench, or escape the Flames. All these things concurred to set on the hot Zealots, to begin the Troubles that ended so tragically in the Murder of the King, and Slavery of the Nations.

And therefore nothing seems more needful in our present circumstances, than to represent those things truly, That Ministers on the one hand, considering the ill effects that followed on a stretched Prerogative, and the People on the other hand apprehending the dismal consequences of Tumults, jealousies, and Civil War, there may be such an Universal Harmony between the King and his Subjects, as may rejoyce all good men, and disappoint and confound all the Enemies of our Peace and Happiness.

But all those things not being yet so fully clear to me, and not lying in the Papers that were in my hands, I have given no account of them in  
this

## The Preface.

this Work, which I confined to the Negotiations of those two Brothers, whose Papers I perused. Nor have I written any thing of the Affairs of England, further than was necessary by their Relation to, and Intermixture with those of Scotland: and though there are very considerable Papers in that Collection, that were sent to Scotland, both from the Committee of both Kingdoms, and from some Eminent men of both Houses; yet there is not a continued thread in them, and therefore I have published none of them. Nor have I drawn down my Relation farther than Worcester-Fight, where the younger of these Brothers lost his Life: for though I have been much pressed to write a full History of Scotland from K. James his Death, where the most Reverend Dr. Spotwood ended his so much, and so justly valued History, and to bring it down to the present Time; yet I will see how the World is satisfied with what I now publish, before I give my self and others more trouble of this sort.

At first I wrote this Work Historically, and only drew the most material heads and passages out of the Papers that lay before me: but that Noble and Judicious Gentleman, Sir Robert Murray, to whose Memory I owe the most Grateful Acknowledgments that can be payed by a Person infinitely obliged to him, and that did highly value his extraordinary Parts, and rare Virtues, gave me such reasons to change the whole Work, and to insert most of the Papers at their full length, that prevailed on me to do it; and when it was written over again, as I now offer it to the World, he was so much pleased with it, that though I know the setting down his words would add a great value to it among all that knew him, yet they are so high in the Commendation of it, that I cannot but conceal them. Some have wondered to find fewer of the Duke's Letters here than of other Persons; but the truth is, these are so full, and so particular, in the Advices and Advertisements he wrote to the King, that it was by no means thought fit to publish too many of them, though the Originals of them are yet extant, being written on the back by the King's hand.

The Vouchers of this whole Work lie at Hamilton, where Curious Persons may both be satisfied about the truth of what is now published, and about many other very important things, from which I drew these MEMOIRES: only in a few particulars, for supplying some defects, I was forced to seek Informations from Persons of great Honour and Worth.

My writing from such Vouchers was the cause, that sometimes the angry Language I found in Letters did slip into my pen. I know there is nothing that does more misbecome an Historian than to mix Passion with the Account he gives; and so I studied to cleanse this Work from it all I could, and read it over once or twice to throw out all those angry words which I had mixed in it carelessly, having among other things Copied them from the Letters that were in my hands. But upon a further Review, I find that some of these Reflections do still remain, for which I am very sorry; but I can assure the Reader, I had no design to leave needless Imputations on any Persons, for I took great care to write with all possible Respect and Caution, even of those who were the greatest Enemies that both these Dukes had: and those that know the present circumstances of that Family, and of the Writer himself, will find that no Resentments for any hard Usage they have met with, has biased him from what becomes an honest Man, and a faithful Historian.

I thought it unworthy of my pains to set down and confute those base and malicious Calumnies, which fill many Books that pass for the Histories of the late Times. The Truth of this Work is a fuller Confutation than any other could be.

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## The Preface.

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be. These Writings indeed made me examine all the Duke's Papers more carefully, particularly the Copies of their Letters to their nearest and most assured Friends, with the Letters they received from them: most of these were written in Cypber, and the decyphering of them was no small trouble; yet I resolv'd to spare no pains that might give me a full satisfaction about their most secret Correspondencies. But after all that search, I was still more and more confirmed of the great Integrity of their Professions, and of their constant Fidelity to the Crown.

I publish these MEMOIRES with the more confidence, because they having been seen and perus'd by divers of the most Considerable and most Intelligent Persons of both Kingdoms, either they went very far with their Civility and Complement, or were well satisfied with them.

I shall enlarge this Preface no further, but desire that all the faults in the Style, or way of Writing, may be charged only on my self, and may leave no Imputation on those Worthy Persons whose Actions I relate, nor on those who now represent them, since they deserved a far better Pen to be employed in writing their History. All that is good in this Work is only from them, and all that is evil in it must fall entirely to my share, and I alone must bear it. They have suffered too much already from the Malice of their Enemies, it will therefore be very unjust to make them suffer more for the Indiscretion or Weakness of an ill Writer. I shall not stand longer on labour'd and formal Apologies, which are more us'd to shew the Wit of the Writer, in making them gracefully, than from any humble opinion they have of their own Performances who make them. If I have not done this to the best advantage, it is because I could do it no better; for the Importance of these Transactions, the Merit of the Persons, and the great Honour I pay the Family, and the Duke and Dutches of Hamilton that now are, made me judge it very well worth all the Application and Industry I could bestow upon it.

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## ERRATA.

**T**Hough a great deal of care was used to revise the sheets, yet the following *Errata* must be corrected: Literal Faults, and some errors in the punctuation are not marked, which it is supposed the Reader will easily perceive.

Page 11. Line 30. *for Titles, read Tithes.* p. 11. l. 44. *for Cleazar, r. Eleazar.* p. 13. l. 1. *for seeming, r. seemed.* p. 40. l. 28. *for at, r. as.* p. 55. l. 16. *after This add I.* p. 120. l. 7. *after all r. he.* p. 130. l. 37. *require, r. required.* p. 145. l. 7. *dele will after it, and r. will after Assembly.* p. 161. l. 18. *for Mirtland, r. Maitland.* p. 178. l. ult. *for Cumbermwaldr. Cumbernald.* p. 219. l. 22. *after Hamilton r. William Earl of Morton.* p. 225. l. 11. *refore r. therefore.* p. 240. l. 6. *after by for that r. these.* p. 242. l. 22. *after at r. that.* p. 279. l. 2. *emitted r. remitted.* p. 283. l. 26. *berid r. be rid.* p. 284. l. 23. *for stop r. step.* p. 334. l. 9. *met r. meet.* p. 342. l. 17. *did we r. we did.* p. 368. l. 5. *which upon r. upon which.* p. 384. l. 23. *after guards r. that.* p. 387. l. 51. *apart r. a part.* p. 388. l. 12. *after were r. clear.* p. 408. l. 30. *after despise dele at.* p. 423. l. 2. *after though r. the. ibid. l. 4. after vertue r. he.* p. 427. l. 8. *for greater r. re-grate.* p. 428. l. 26. *wrack r. rack. ibid. l. 50. after heavy r. on.* p. 429. l. 44. *Death r. die.* p. 431. l. 26. *after about for him r. himself.*

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The Contents of the Seven Books.

Lib. I.

*Of what happened from his Father's Death, till the Year 1638.*

Lib. II.

*Of what passed when he was the King's Commissioner in Scotland, in the Years 1638, and 1639.*

Lib. III.

*Of what passed after he laid down his Commission, till July 1642.*

Lib. IV.

*Of the Duke's, and his Brother, the Earl of Lanerick's Negotiation in Scotland, till their Imprisonment.*

Lib. V.

*Of the Duke's and his Brother's Employments after his Enlargement till the Year 1648.*

Lib. VI.

*Of the Duke's Engagement for the King's Preservation, and what followed till his Death.*

Lib. VII.

*A Continuation of Affairs till Worcester-Fight.*

## MEMOIRES

OF THE  
LIFE and ACTIONS

OF

James Duke of Hamilton, &amp;c.

LIB. I.

*Of what happened from his Fathers Death till the  
Year 1638.*

A M E S Marquis of Hamilton died at London in March, 1625. and was succeeded in his Honour and Fortune by his Eldest Son and Heir James, afterwards created Duke of Hamilton, whom his Father had brought with him to England some years before, and was then in the Eighteenth year of his Age, and sent to prosecute his Studies at Oxford; from whence he was called to see his Father die, and came in time to

An. 1625.

The Marquis  
succeeded his  
Father.

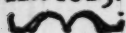
receive his last advices and blessings. Thus died that Great and Illustrious Person in the flower and vigour of his Age, being then but 36 years old.

He was in great Esteem in both Kingdomes, equally dear to the Sovereign and the Subjects; and it was certain no person could have disputed with him the Kings Affection and Confidence, the Duke of Buckingham onely excepted. His serving as Commissioner for the King in the Parliament 1621. had much lessened his Interest in Scotland; for these five Articles of Perth, (where the Assembly of the Church that settled them was held) commonly called the *Five Articles*, were generally so odious, that his carrying the Settlement of these in Parliament drew much dislike from all that Party, which was then called *Puritan*: but his carriage in that Parliament, gained him as much trust and favour with the King as ever man had. The King created him Earl of Cambridge, a Title that was never conferred on any, but such as

His Fathers  
Character;



An. 1625.



were of the Royal Blood; he made him also Knight of the Garter, and Lord-Steward of the Household. King *James* was likewise glad to see his Friendship for my Lord Marquis and his Family like to prove Hereditary; by the kindness he saw growing up with the Prince for his Son; in whose youth there was an agreeable Sweetness, which gained an early room in the Princes Affections, and took so deep rooting there, that nothing was ever able to deface it: and as he had the Honour to be the Princes nearest Kinsman by the Royal Blood of *Scotland*, so he spent several of his younger and more innocent years in his company; and when the Prince was in *Spain*, he made one of that honourable Train that went to wait on his Highness.

But since the following Narration is to be filled with great and considerable Transactions, wherein this Marquis was so eminently engaged, I shall dismiss such Particulars as were of less concernment, and therefore at one step shall leap over the whole tract of his Youth; neither shall I interrupt my Narration of Publick Matters with Accounts of his Personal and Domestick Affairs, which shall be referred to one place, in which, as I give his Character, such of those as are fit to be made publick shall be mentioned: neither will I here offer any further Account of his Father, but what shall be the matter of the whole following History, which is, that he was the Father of two such excellent Sons.

King *James*  
his Death.

King *James* as he received the tidings of his Death with much grief, so he Prophetically apprehended, that as the Branches were now cut down the Root would quickly follow; for the Duke of *Richmond* died about the same time likewise. This Marquis his Death was followed with an universal regrave, and I find divers of the English Nobility, in their Letters to his Son, expressing their Affection and Esteem for the Father, in terms beyond the cajolery of Civility or Complement. The loss of so great and such a tenderly affectionate Father, meeting the sweet Disposition and dutiful Love of the Son, could not but prove very afflicting to him: but this private Grief was followed by a publick Calamity, brought upon these Kingdoms by the Death of King *James*, on whose Character I shall not adventure, since it is without the lines of my Work.

The Marquis  
leaves the  
Court.

The Marquis sent down his Fathers Corps to *Scotland*, where it was nobly interred in the Burial-Place of that Family; but could not follow it himself, being obliged to wait and assist at the Coronation of King *Charles* the first, which shortly followed, where he carried the Sword of State before the King; and he found the Crown had rather heightened than lessened the new Kings Affection for him. But within a little he resolved to return to *Scotland*, to look to his own Affairs, which were in great disorder by his Fathers magnificent Nobleness, who notwithstanding his being Lord Steward, and the benefit of other Places he enjoyed, had far outrun himself at Court. But indeed his Son had too much of his own Temper, and was too Generous to be very Frugal. During his absence from Court, his Majesties Affection for him appeared not only in his ready granting of every thing was moved for his advantage, but in the kind Letters which upon different occasions he wrote to him with his own Hand, (not to mention the many publick ones he got upon all occasions.) In one of them the King writes:

James,

An. 1627.

James,

**T**HE reason why your Business is not yet settled, is, that this long time I have attended the coming of him, your self thought fittest to be trusted in it, he is now on the way; and shall no sooner be arrived but the direction shall be given, as I have already promised you. I doubt not but your want forced you to leave me, but mine shall not hinder me to help yours; and I am sure likewise, that as you see I do not forget your Turns, you will at this occasion of the late Commission I have sent down, shew your self forward in mine. So farewell.

The King writes to him,

New-Market,  
4. March, 1627:

Your constant loving Friend,

CHARLES R.

In another he writes:

James,

**H**AVING (as I hope) dispatched your Business, I must tell you, it was ill luck and not ill will that made it so long a-doing, and likewise of the importunity of a House of Women for calling you hither: but it may be the company of some where you are, will make you give a negligent Ear to those that are here; yet I doubt not but when you know (as these lines do assure you) that you cannot come before you shall be welcome to your best Friends here, that your stay will not be long where you are. So referring you for other business to the Bearer your man, I rest,

and invites him to Court:

The first day of  
the Year, 1628.

Your loving constant Friend,

CHARLES R.

But the Marquis excused himself upon the great Encumbrances were on his fortune, which made it impossible for him to live at Court in the rank that became his quality; he seemed also at that time to be in love with a retired life, and spent much of his time in the Isle of Arran. It cannot be denied to be without example, to see a King entreating his Subject to accept of the Favours and Honours he designed for him, when he was with much humble modesty declining these Royal Offers. But as the King pressed his return to Court very earnestly, he was likewise solicited to it by a great many of chief rank there, and by none more warmly than by the Duke of Buckingham, with the greatest and heartiest offers of all the friendship and service he could do him: yet he continued in Scotland till the end of the year 1628. and all the while kept himself at a distance from publick Affairs, not

But he prefers a Country retir'd life to the Court.

*Aug. 1628.* meddling in any thing beyond his private concernment ; but his sweet and obliging temper took exceedingly with all people.

*Earl Denbigh comes for him:* In the end of the year 1628. his Father-in-law Earl *Denbigh* came down to press his return to Court, with a new and kind invitation from the King, expressed in the following Letter.

Hamilton,

*I Have taken this occasion by Denbigh's going to affirm to you, under my own hand, the Message Traquair brought to you from me. I need say little more at this time, because according to your Letter I look that you should be quickly here, which again I assure you will be well done. So referring you to your Father Denbigh, I rest,*

Hampton-Court  
25 Sept. 1628.

Your assured constant Friend,

CHARLES R.

*He goes to Court, and is made Master of the Horse.*

*His usage at Court,*

*and behaviour there.*

*The Affairs of Germany.*

The Earl of *Denbigh* brought also with him from his Majesty the offer of the Master of the Horse his place, which was fallen by the murder of the Duke of *Buckingham*. This earnest and noble Message, brought and enforced by such a Bearer, could be no longer refused ; therefore in the end of the year he went to Court, where he was presently made Master of the Horse, and Gentleman of the Kings Bed-chamber, and Privy Counsellour in both Kingdoms : and the King used him with so much tender kindness, that his carriage to him spoke more of the affection of a Friend than of the power of a Master ; he called him always *James*, both when he spoke to him and of him, as an expression of his familiarity with him ; and it was presently observed by all, that none had more of the Kings heart than he possessed. But as high favour with a Prince is ever attended with envy and jealousy ; so he missed not his share of it, from those who were looking on him as the rising Favourite ; though as he bore that Character worthily, he managed it prudently, for he neither studied to engross things to himself nor his kindred : he grew not insolent upon favour, nor impatient of Competitors ; neither did he obtrude himself upon the management of particular Affairs, but did rest satisfied with the Royal marks of his Masters favour, which upon all occasions were poured on him liberally.

The great Design which at this time possessed the King wholly, was about the affairs of *Germany*, and the recovery of the *Palatinat*, with the rescue of his Sister and her Posterity, from the ruine which was not only hanging over them, but had already overwhelmed them.

I need not here resume the too-well-known occasions of these Troubles, nor tell how the Wars of *Boheme* first began, nor how the Prince Elector *Palatine* being chosen their King, did by accepting that Crown involve himself and all *Germany* in a tract of the most lasting and bloody Wars that have been heard of. The new-elected King was scarce well-settled on his Throne, when it was not only shaken



shaken but overturned; and the Emperour, with the assistance of *An. 1629.* *Spain* and the Duke of *Bavaria*, who was thirsting after his Cousins Dignities and Dominions, was not content with the recovery of his own Dominions, but carried his conquering Eagles into the *Palatinat*; which not being able to resist so powerful an Invasion, was forced under his obedience, and the Electoral Dignity was by the Emperour afterwards translated to the Duke of *Bavaria*. King *James* was very much displeased with his Son-in-law for engaging in the affair of *Boheme*, but could not be unconcerned when he saw the ruine of his Family following upon it; yet his inclinations to Peace overruled his other resentments, and his hopes to prevail by Treaties made him still delay entering into Action; for at that time the Treaty of the match with *Spain* was on foot, and the King was abused by the *Spaniards*, and made believe the *Palatinat* should be again restored: but his slowness in that missed not the severe censures of all *Europe*.

King *James* left his Crowns and Designs to his Son, who judged himself bound by all Ties divine and humane, to see to the recovery of the *Palatinat*, and the stopping of the Imperial success, which by a great Torrent of victories was become formidable, and burthensome to all the Princes of *Germany*; yet the opposition the King met in some Parliaments, which were dissolved soon after their meeting made his Designs go on slowly. But to ravel no further into matters without the lines of this Narration,

The Marquis was no sooner at Court, but the Queen of *Bohemia* recommended the care of her Affairs to him, as the person (being her nearest kinsman and best known to her) in whom of all that were about her Brother she confided most; and as during the King her Fathers life she had employed none so much as his Father, so she did entail that trust upon the Son: and indeed in all her Letters to him (hundreds of which remain) she continued such expressions of genuine and frank kindness, as shew, she never thought she had misplaced her trust.

At this time the King of *Sweden* being provoked with a desire of glory, and led on by the aspirings of a great and generous mind, resolved to adventure on that which had been fatal to all who had attempted it, and to oppose the Emperours designs, declaring, his resolutions were to deliver *Germany* from the yoke of Tyranny, which was beginning to be twisted about their Necks; but fearing his own strength was not able to compass so great a design, much of his confidence was grounded on the assistance he expected from the King. Therefore as by his own Ambassadour the Lord *Spence* he solicited his aid, so he employed the King of *Bohemia* to interpose with his Majesty for his assistance in the prosecution of that great Affair; who pressed it with much earnestness by his Agent *Curtius*, representing, that now or never was the time that it should appear to the World, what effects he might look for from his Alliance: and the King was resolved in good earnest to advance that design, but judged it not fit for himself to own it in his own name at first, for some reasons of State; a chief one being, that his Ambassadour in *Germany*, Sir *Robert Anstrotter*, was entertained at that time with some hopes of the restoration of the *Palatinat*, though that was judged to be without any other intentions but to cajole the King, and so keep him from con-

The Queen of Bohemia recommends the care of her Affairs to the Marquis.

The King of Sweden invites the King to his assistance.

curring

An. 1629. curring in the *Swedish* designs. His Majesty finding it not convenient to appear in it himself, resolved it should pass for the voluntary assistance of his Subjects, to which he should only give way, and made choice of the Marquis for the person in whom he had the greatest confidence of his zealous pursuing his designs upon the *Palatinat*. Whether this motion came originally from the King or not, I do not see, or if it was the desire of the King or Queen of *Bohemia*, which seems more probable; for the *Swedish* Ambassadour did first move it, and pressed it with much earnestness: others suggest that it came from some of the Marquis his enemies, who envying and suspecting his rising greatness, and seeing no possibility of lessening his interest in the Kings affection that was daily growing, judged this honourable Proposition would once set him a good way from the Court. There was too much of honour in this Proposition to be rejected by the Marquis, and his age being at that time pronest to a thirst of glory, he could not but be hearty in the undertaking, though the ruine of all, who had hitherto embarked in that Design, gave but small encouragement to any who should engage in it; yet the great renown of the *Swedish* King, together with the fears into which all the Princes of *Germany* were now driven, which rendred them almost desperate, made the Attempt look more promising than formerly: but the Marquis his duty to his Master, and his affection to all his interests, chiefly those of his only Sister, made him with alacrity accept that Employment. One thing was certain, that which way soever the first Proposition of this was made, it came not from himself; for if the King had known or suspected it to have flow'd from him, it would have appeared afterwards when the Calumnies to be related were under examination, or when the Marquis was a prisoner: but no such thing ever dropt from his Majesty.

The Marquis  
sends Col. *Hamilton*  
to treat,

In the end of the year 1629. the Marquis according to the Kings Orders sent Colonel *Hamilton*, brother to the Earl of *Hadington*, to the King of *Sweden* with a general offer of his service, and his resolution to come in person with a considerable force, to joyn with him in his noble enterprize for the Liberty of *Germany*. This had a very kind reception from the King of *Sweden*, for at that time the valour of the *Scots* was so great, and that Kings value of them so high, that he welcomed the Proposition with a sincere heartiness; and as he wrote a very kind Answer to the Marquis, (which with many others of his Letters is yet preserved;) so he sent him a Commission to be General of what Army he should raise for his assistance.

and after him  
*David Ramsay*.

Upon this the Marquis sent one *David Ramsay* a Gentleman of the Privy Chamber, to agree the Conditions upon which he should embark in the *Swedish* design. This *Ramsay* was one in whom he had no interest at all, neither can any account be given what he was, save that there is a Letter from the King of *Bohemia* in my hands, wherein he recommends him to the King as one who had served him faithfully in *Germany*; he therefore as being acquainted with the *German* language and affairs, and zealous for the King of *Bohemia's* service, was made choice of for this Negotiation: but for the Marquis to have made this man, who could be no longer known to him than since he came last to Court, a Confident in so great and desperate a resolution, as was afterwards fastned on this Employment, it had



had the same likelyhood which was in the rest of the Calumnies where-  
with his Innocency was attacked. An. 1627.

Colonel *Hamilton*, who had stayed with the King of *Sweden* and  
Mr. *Ramsay*, agreed with that King on the following Conditions, The Articles  
of the Treaty  
yet extant in  
Latine.  
which I set down, faithfully translated from the Original which is in  
Latine.

**WE** *Gustavus Adolphus*, by the Grace of God King of the *Swedes*,  
Goths, and Vandals, Great Prince of *Finland*, Duke of *Esthonia*  
and *Carel*, and Lord of *Ingria*, &c. To all and sundry whom it concerns,  
make it known and certain, That whereas the *Illustrious* and Our sincerely  
beloved Lord *James Marquis of Hamilton*, Master of the Horse to the most  
Serene King of Great Britain, out of his zeal for the publick good, and for  
acquiring eternal fame, hath resolved to dedicate himself and the fortunes  
and forces of all he is concerned in, for restoring Our oppressed Friends in  
Germany, and for that end hath offered to Us by the *Illustrious* and Our  
sincerely faithful Colonel, *Alexander Hamilton*, his fidelity and service, and  
that he will on his own expence gather a strength of six thousand men, and  
bring them over, as soon as may be, to any place We shall appoint, either against  
the Imperialists, or any other of Our Enemies, and maintain them on his own  
charge, and do Us all faithful and vigorous service with them, till this great  
Affair be brought to a good issue, provided We shall authorize this his design  
with Our protection, and give him the underwritten Assistance; Therefore,  
there being nothing dearer to Us, than to make all vigorous resistance to the  
common enemies of Liberty, and having in high estimation the brave under-  
takings of generous men, We not onely would not reject, but have heartily em-  
braced the nobleness of so good Resolutions: We have therefore admitted, like-  
as by the vigour of these presents We admit, the said Lord Marquis into Our  
service, Armies and Military Counsels, on the following Conditions.

First, whenever he shall signify to Us, that he is ready to bring over his  
Forces, We shall assign him a place for his landing, either to come and joyn  
with Our Armies, or to make an impression elsewhere, as We shall think fit.

Next, if We appoint him to land in any place from whence he shall not come  
streight to Us, We shall for strengthening his Forces, send to the place We shall  
assign for his landing four thousand Foot out of Our Armies; whom We shall  
furnish with all necessaries, and maintain on Our charges a whole year.

Thirdly, because the said Marquis thinks two thousand Horse are necessary  
for his Foot, for whose levy and pay he promises all assistance; We shall there-  
fore think of all ways and means for raising and maintaining these.

Fourthly, We not onely give the said *Illustrious Marquis* the absolute Com-  
mand of this Army in our absence, but shall also joyn to him a Counsellor with  
whom he may consult in all things, that so his Deliberations be more expedite  
and clear.

Fifthly, whatever the *Illustrious Lord Marquis* shall take from the Enemy,  
the Lands and Territories shall belong to Us, but the Revenues and all the Emo-  
luments shall go to him, and to the relief of his Army: yet so as these Revenues  
shall be gathered decently and in order, without Depredations or Plunderings;  
since Our design is not to oppress those who have been already enough pressed, but  
rather to deliver them from the oppressions of others, as much as by the Divine  
assistance We can.

Sixthly, that the Marquis may more effectually perform what he hath brave-  
ly resolved, and may sooner make those warlike Instruments of his own inventi-  
on;

An. 1630. on, on which he relies much in his Expedition, We shall not onely with the first occasion furnish him with a hundred Ship-pounds of crude Iron, but shall also assign Hammers for working it according to his design; of which Instruments he hath promised to leave a Model with Us, and We shall be careful that none of Our Servants shall make use of them before he hath first made trial of them himself.

Seventhly, We shall also furnish him with three hundred and seventy Ship-pounds of Iron-ball for his Guns, and two thousand and five hundred Pikes, and as many Musquets.

Eighthly, when-ever the Marquis shall advertise Us of his needing Gunpowder, We shall assign him Bills of Exchange in Holland for buying seventy two Ship-pounds of Gunpowder.

Ninthly, if any other Kings or States shall concur with Us, all they contribute shall be at Our disposal; but if the Marquis his necessities require further assistance, We shall not abandon him, but faithfully assist him, as much as Our Affairs shall permit.

Tenthly, for all which the said Illustrious Lord Marquis with all his Forces hath promised Fidelity to Us, and shall be bound to it as well as Our men, and these who receive Our Pay, are, for which both he and all his Captains shall be particularly engaged.

But because there is to be a Treaty betwixt Our Commissioners and the Imperialists at Dantzick, therefore if a Peace shall be there concluded, so that We shall not need the Service of the Marquis and his Army, he hath obliged himself to pay for the foresaid Materials at their entire value.

All which things being thus concluded, and to be firmly observed by Us, We have subscribed these Articles with Our Hand, and commanded Our Royal Seal to be put to them. At our Castle in Stockholm the last of May, Anno Dom. 1630.

Signed,

*Gustavus Adolphus.*

Locus  
Sigilli.

R. Charles 2d. is born, and baptized, the Marquis representing the King of Bohemia, who was Godfather.

The Marquis is Knight of the Garter.

These were signed by the King of Sweden at Stockholm the thirtieth of May, 1630. which, was the day after the Prince of Wales his birth, (His Majesty who now reigns, whom God long preserve) at whose Christening the Marquis had the honour to represent the King of Bohemia, who was one of his Godfathers, the King of France being the other, who was also represented by the Duke of Lenox; and at this time a Stall of the Order becoming vacant, His Majesty conferred on the Marquis the most noble Order of the Garter, that he might go in this Expedition with the more lustre.

But to these Articles I shall adde the return was sent by the Marquis, which though not done till the next year, yet is most properly inserted here, because of the relation it hath to the foregoing Paper. What follows is a Translation taken from an Authentical Sealed Duplicate of the Original in Latine.

*Whereas*

An. 1630.

Articles signed by the Marquis.

**W**Hereas there is a mutual Compact agreed betwixt the most Serene and Mighty King of Sweden and me, for joyning of our Forces; that the Articles be fully ratified, and lest any thing afterwards fall in which may put a stop in our Counsels, or give matter for sinistrus Glosses, I therefore subscribe for my part all the Articles, adding onely the following Explication to some of them.

To the first, if the most Serene King assign me a place for landing, I vow and promise by the grace of God to doe it, betwixt and the day of the next June.

To the second, if the most Serene King of Sweden send me the agreed number of Souldiers out of his Own Forces, at the place and time appointed, I understand that by furnishing them with all necessaries, a full and entire Pay without any deductions be laid down for a whole year, according to the establishment of His Majesty with his Own Officers.

Besides, if the most Serene King cannot allow of so great a diminution of His Forces, it will be necessary that He not only settle a Fond, for such a summe as may levy, arm, and pay, as many Souldiers, but there will be need of some more; for the odds will be vastly great betwixt His Majesty's trained Souldiers, and a sudden Levy of raw Novices.

To the third, since the Article of the Horse is conceived in general terms, on both sides, nothing being certainly fixed on either, it will be expedient that Your Sacred Majesty declare Your mind in it plainly, how far You oblige Your self: and what shall be agreed for me, betwixt Your Majesty and these to whom this Affair is trusted by me, I bind my self to ratifie.

To the fifth, since the reasons of my Expedition to Germany are the same with Your Majesties, I have firmly resolved to help and relieve the oppressed Princes and States of Germany, with the ease of all these burdens with which they are now pressed, and therefore shall do every thing in order, and decently, as becomes most friendly Auxiliaries; and if any thing be taken by me from the common Enemy, I shall desire nothing more than that the right of it be entirely and inviolably Your Majesties.

To the ninth, since I have devoted my whole fortune with all my interests for promoting this our Design, I promise that whatever any shall contribute for it, shall all be laid out for this War, which I shall with my whole Forces manage and carry on, till either it please God that You obtain a desired Peace, or that the Liberty of Germany, which is now oppressed, be restored.

To the tenth, since by this Article Your Majesty requires and expects Fidelity from me and my Army, I James Marquis of Hamilton, by these presents give my Faith for my self and them, and bind both my self and them; and for the Confirmation of this I do subscribe this Article with all the preceding, and put my Seal to it, at London the first of March, Anno Dom. 1631.

Signed,

Hamilton





An. 1630.

Ramsay treats  
with the Lord  
Reay.

Ramsay had in Commission to deal with any *Scotish* or *English* Officers who served beyond Sea, to come and serve under the Marquis; and finding Mackay the Lord Reay in good reputation, he dealt with him to engage in his Service, who cordially undertook it, and some moneths after that wrote to the Marquis, (which Letter is preserved :) That though the King of Sweden had given him the Command of three Regiments, and made him Captain of his Guards; yet he was so desirous to put life in his noble designs, that he would serve him, were it but to carry a Pike in his Army: and thus Ramsay returned, and Colonel Hamilton with him. Whereupon the Marquis went about the executing of his designs, and the levying of his men, but all was according to the Kings Orders and Instructions; yet His Majesty seemed onely a consent-er to it. The Levies went on all this Winter, in which many were backward, because the King owned them so little. As for Money, the King advanced a good summe, though far short of what was necessary: but he gave the Marquis a Lease of the Customs of the Wines in Scotland for 16 years, upon which Security he and all his friends raised as much Money as the design required. Many of the Marquis his friends did in the beginning dissuade him from the undertaking, apprehending the hazards both of his person and fortune, which were visible from an attempt that was full of dubious success; but when they saw him engaged in it, they did all very frankly concur, mortgaging their Fortunes for raising such summes of Money as were necessary for the Expedition.

An. 1631.

Ramsay is sent  
over to the  
States,  
and Elphinston  
to the King of  
Sweden.

Next Spring the Marquis sent Ramsay to Holland, to see what assistance he might expect from the States, and in particular to deal with some *British* Officers who were then in their Service; to come and take employment in his Army. He likewise sent one Elphinston to the King of Sweden, to shew him, that he would be ready to land with his Army in June or July, and to press that the Forces he was to have from the Swede might be ready to meet him where ever he were appointed to land his men: or if the King of Sweden could not spare so many men, that he would order the money for their Levy and Pay to be sent to Hamburg, or to any other Bank, that so the Marquis might levy them himself. Upon this the King of Sweden sent the Lord Reay first to Denmark, and then to Holland, for carrying on of those Levies; and committed the levying of 3000 Foot and 1000 Horse to Colonel Farensback, a *Leeflander* of good repute in the Wars; who had served the Emperour, but for I know not what crime had lost his favour, and undertaken the Service of the Swede, and seemed to be going on with his Levy till the time was past, and then did basely run over to the Emperour; shewing how great a Service he had done by his coustening the King of Sweden, since he hoped the failing of the *Swedish* Auxiliaries would keep the Marquis of Hamilton's Army from coming over that Summer.

The King was  
betrayed by  
Farensback.

He pressed the  
Marquis to  
come in all  
haste,

King Gustavus was now in Germany, and by his frequent Letters pressed the Marquis his dispatch, for he was then in great straits: the Princes of Germany begun to fear his success, and were not so forward in joyning with him as he expected; and by divers Letters, both from himself, and Camerarius his Ambassadour in Holland, and Salvius his Agent in Hamburg, it appears that the Princes of Germany took their measures chiefly

chiefly from the Kings resolutions. The King of Sweden also desired a League with the King, and that the King should send over ten thousand men, whom the King of Britain should maintain during the Wars, and that Army, with the other twelve thousand, should be under the Marquis his Command as General: upon which the King of Sweden should oblige himself, never to make Peace with the Emperour till the *Palatinat* were restored. To this the King gave a good hearing, and promised to send over an Embassadour to finish the Agreement; and in the mean time the Marquis his dispatch was hastened forward with all diligence. His Army was partly *Scots*, partly *English*, and they were to be transported in the Kings Ships; the *Scotish* Forces were to be shipped at *Leith*, and the *English* at *Tarmouth*, and *Tarmouth-Road* was to be their Rendezvous.

An. 1631.  
and desires a  
League with  
the King.

In the end of May both *Reay* and *Ramsay* came out of *Holland* to *England*. *Ramsay* got nothing done with the States, who would give no assistance to the Marquis, till the King formally engaged himself; yet he got some Officers to come over, and in particular that gallant *English* Gentleman, Sir *Jacob Ashly*, who had acquired much reputation in the *Dutch* Wars: but *Ramsay* drew much trouble on himself, for being a man of an intemperate tongue, he had talked loosely of the Court of *England* to the Lord *Reay*. At this time the Marquis was in *Scotland*, drawing the Souldiers together, and having made all ready there, he returned to Court, having nothing more to do but to kiss His Majesties Hand, and receive his last Commands: but there was then at Court the Lord *Ochiltree*, a man of a subtil spirit and good parts, had not those endowments of his mind been stain'd with some ill qualities. He had acquired some interest in Court by the service he did the Earl of *Niddisdale* in the matter of the Kings Revocation and the Commission of Surrenders, (which to explain were too long a digression here, and needless to all who understand how the Rights of the Titles were at that time unsettled in *Scotland*.) His malice against the Marquis was hereditary, he being the Son of Captain *James Stewart*, who in King *James* his Minority, when the *Hamiltons* were groundlesly and in a mock-Parliament attainted, carried the Title of Earl of *Arran*, and possessed their Fortunes. Lord *Reay* (upon what irritation I know not) alledged to him, that Mr. *Ramsay* had told him, that the Marquises designs were not upon *Germany* but *Britain*, and that when this Army was once gathered he purposed to pretend to the Crown of *Scotland*. This lye was so ill told, that it could take with none but those whose Judgments were blinded through malice: for as that Army was very small, and in no manner of capacity to prosecute such a design, so it was made up of *Scots* and *English*; and most of the Officers were persons of whom the Marquis had no acquaintance. *Reay* alledged likewise the testimony of one Mr. *Cleazar Borthwick*, to whom Mr. *Meldrum* should have communicated the same design: but this testimony turned to his shame, for that person, who was of known integrity, being brought from *Germany*, and examined upon what *Meldrum* had said to him, desired liberty to send his Deposition to the King sealed, since the particulars were not fit to be publickly heard; to which the King yielding, he sent it. The summe of it was, that *Meldrum* had never communicated any such design to him; that he had indeed spoken abominably of the King and Court, but all was in his own name; and that he brought no credence

*Reay* accuseth  
*Ramsay*, and  
*Ochiltree* the  
Marquis.

*Borthwick* be-  
ing a witness  
clears the  
Marquis.



*Aug. 1631.* with him from the Marquis, for his errand to the *Swedish* Court was onely to solicit the payment of some Arrears due to his Uncle, who had served that Crown; and he had no Employment from the Marquis, onely he got from him Letters of recommendation for the dispatch of his business, so that whatever he said was understood as his own sense, and not as a message from the Marquis.

*Reay* also alledged the testimony of Lieutenant Colonel *Lindsay*, for a great part of that he charged on *Ramsay*. This *Lindsay* indeed was a brave Gentleman, and *Reay's* Lieutenant Colonel, but was killed two or three moneths before *Reay* met with *Ochiltree* at *London*. He was in new *Brandenburg*, with other *Swedish* Officers, when *Tilly* took it in, and all *Reay's* Regiment was cut to pieces except a very few; which turned to his eternal disgrace, who in such a hot time of Action left his Command to come over to *England* and forge lyes: and after that *Reay* was in no esteem neither with *Scots* nor *Sweedes*, and irrecoverably lost himself in the K. of *Sweden's* opinion. But *Reay* kept himself from charging any thing on the Marquis, fixing all he said on *Ramsay*; which Caution was not observed by *Ochiltree*, who drew a representation of the Marquis his interest in *Scotland*, to shew what probabilities might be of such a design, and reckoned up all his Kindred and Allyes, by which he drew in most of the Nobility of *Scotland*, and so fastned suspicions on them all; a madness onely incident to those of *Bedlam*, to which his malice drove him though he was no fool.

*Weston* carries  
the Accusation  
to the King.

With this account of *Reay's* and his own he went to the Lord *Weston*, then Treasurer of *England*, and personating great zeal for the safety of King and Kingdoms, revealed this alledged Treason to him; adding, that it was probable, all things being now ready to be put in execution, that the Marquis upon his return, to put things in the more fearful disorder, might (if admitted to wait in the Kings Bed-chamber) murder him. This was a Calumny than which Hell could not have forged a fouler; for Lord *Ochiltree* judged that this would have infallibly produced one of two effects, either raised such a Jealousie in the Kings thoughts as to have quite ruined the Marquis, since few Princes are proof against such whispers; or at least it would have stopt his voyage for a while, till he were tried, and the smallest delay in that would have scattered his Souldiers; so that this design failing, in which his Honour was now so far engaged, a stain should lie on him through all *Europe*. Lord *Weston* carried this Story to the King, whether provoked to it out of hatred to the Marquis, or moved from his zeal and duty to the King, shall not be determined; though the last was pretended by him, and in many of his Letters to the Marquis, when he was in *Germany*, he expressed much friendship for him.

who gives it  
no good hear-  
ing,

But His Majesty knew the Marquis too well, and understood all his motions, and the progress of this Affair too exactly, to give any credit to this Forgery: and indeed he rejected listening to it, in terms so full of affection for the Marquis, as discovered he was incapable of any Jealousie, either of him, or any of his actions; neither would he hearken to those who onely desired that upon his return he might not be admitted to his Presence, at least not to lie in his Bed-chamber. Within a very little while the Marquis came to Court, utterly ignorant of the execrable designs of his Adversaries: His Majesty welcomed him with an air of kindness beyond what he ordinarily gave him, and drawing him



him apart, immediately told him all that villainous story which had been whispered against him. The Confusion this raised in his thoughts was unspeakable, being amazed to find himself so horribly misrepresented, knowing his heart to be full of duty and affection to his Sovereign; he wondered how malice could be so impudent, as at a time when he was hazarding Life, Honour, Friends, and Fortune, for the Kings Service, to fasten such a devillish gloss on his actions: but this surprize was overcome with a greater, when he saw His Majesty with an unheard-of, and truly Royal generosity, express his confidence in him in such obliging terms, as scarce to allow him to speak in his own Justification; which seeming to insinuate, he thought he needed to be vindicated, the Marquis begged he might be presently tried, and offered himself to restraint till he were cleared. But His Majesty would not hear of that, on the contrary commanded him to lie in the Bed-chamber that night; and he expressed his confidence and kindness for him, in such a strain both of behaviour and discourse, that the Marquis frequently said, he looked on the kindness of that night, as that which obliged him more than all the other publick testimonies of the Kings favour and bounty he ever met with; for His Majesty embraced him with such tender affection, that he had been a monster of ingratitude, if he had been ever capable of forgetting it: and indeed the Marquis used to say, that never were his repentments for any usage he afterwards met with so great, but the remembrance of that night stifled them quite; and it must be confessed to be a passage without example in History, since the days of the conquering King of *Macedon*. But the Marquis was not able to lie under such terrible imputations, wherefore he pressed that *Ochiltree* might be put to it to prove what he had alledged: but all he offered against *Ramsay* was onely a presumption, which *Ramsay* denied and *Reay* affirmed; so that they were both put under Bail, and nothing appeared that did touch the Marquis: for, though *Ramsay* had been as guilty as the Lord *Reay* called him, that left no imputation on him, since none can be made answerable for those they imploy, unless it appear that they followed the Instructions given them. So the Marquis was dispatched to *Germany*. Lord *Ochiltree* had charged the Marquis with Treason, and failing so totally in his probation was sent down to *Scotland* to be tried, where he had a legal and free Trial for his false Charge, before the Justice-general, and such Assessors as were appointed to sit with him by the Privy Council: and had the Marquis repaid him in his own coin, he could not have escaped capital punishment; but he was satisfied with his own Justification, and such a Censure put on the Calumniator, as might deter others from the like attempts; wherefore he was condemned to perpetual Imprisonment in *Blackness Castle*, and he continued there for twenty years. But that all this matter may be ended at once, ten years after this, when His Majesty was in *Scotland* in the year 1641, the Marquis was prevailed on, by the addresses *Ochiltree* made to him, to procure his liberty from the King; which he was to have done, but at that time one Captain *Stewart*, who had married his daughter, was amongst these who discovered the alledged Plot, commonly called the *Incident*, (whereof an account shall be given in its due place;) and this bound up the Marquis from interposing for *Ochiltree's* liberty, lest it should have been supposed that he had done it as a kindness to his Son-in-law for that discovery, which might have raised some Jealousies.

As

An. 1631,  
and on ens the  
whole matter  
to the Mar-  
quis;

and made him  
lie in the Bed-  
chamber that  
same night.

*Ochiltree* tried  
and sentenced  
for his Forge-  
ries

to perpetual  
Imprisonment.

An. 1631.

*Reay and Ramsay desired a Combat.*

*Sanderfons  
Life of King  
Charles.*

As for the Lord *Reay* and Mr. *Ramsay*, they continued the one positively affirming, the other as confidently denying what was alledged; but in the whole progress of the Trial the King expressed that concernment in the Marquis, that he seemed earnest even to have *Ramsay* vindicated. *Ramsay* carried himself very fiercely in the pursuit; at length both of them desired to be judged by the Martial Court, and that they might be permitted a Combat. *Ramsay* was the more eager in that, but though *Reay* did not decline it, yet he was not so forward as the other. It seems needless to give a relation of the particular procedure of this Affair, though another, to swell up his Volume with impertinent Stories, hath at length set down the Journal of the proceedings of the Martial Court, with no other design but to heap the more envy on the Marquis, which he usually doth with as much ignorance as malice. All the account to be added shall be in the words of one against whom there can be no exception: I shall therefore set down His Majesties Letter to the Marquis, upon the conclusion of this matter, which is taken from the Original.

James,

*His Majesties  
Letter about  
that Affair.*

Since you went I have not written to you of Mackay's business, because I neither desire to prophesie nor write half news; but now seeing (by the grace of God) what shall be the end of it, I have thought fit to be the first advertiser of it to you. I doubt not but you have heard, that (after long seeking of proofs for clearing the business as much as could be, and formalities which could not be eschewed) the Combat was awarded, day set, weapons appointed: but having seen and considered all that can be said on either side, as likewise the Carriage of both the men, upon mature deliberation I have resolved not to suffer them to fight; because first, for Mackay, he hath failed so much in his circumstantial probations, especially concerning Muschamp, upon whom he built as a chief witness, that no body now is any way satisfied with his accusations; then, for David Ramsay, though we cannot condemn him for that that is not, yet he hath so much and so often offended by his violent tongue, that we can no ways think him innocent, though not that way guilty whereof he is accused: wherefore I have commanded the Court shall be dismissed, and Combat discharged, with a Declaration to this purpose, that though upon want of good proof the Combat was necessarily awarded, yet upon the whole matter I am fully satisfied, that there was no such Treason as Mackay had fancied; and for David Ramsay, though we must clear him of that Treason in particular, yet not so far in the general, but that he might give occasion enough by his tongue of great accusation if it had been rightly placed, as by his foolish presumptuous carriage did appear.

*This*

*This is the substance, and so short, that it is rather a direction* An. 1631.  
*how to believe others than a Narration it self, one of my chief ends*  
*being that you may so know David Ramsay, that you may not have*  
*to doe with such a Pest as he is, suspecting he may seek to insinuate*  
*himself to you upon this occasion; wherefore I must desire you, as you*  
*love me, to have nothing to doe with him.*

*To conclude now, I dare say that you shall have no dishonour in*  
*this business, and for my self, I am not ashamed that herein I have*  
*shewed my self to be*

London, May 8.  
 1632.

Your faithful Friend and  
 loving Cousin,

CHARLES R.

But to return to our Story; the King of Sweden appointed General *Lesley*, afterwards Earl of *Levin*, to wait on the Marquis at his landing, The Marquis  
sets sail, and  
intends for  
Breme, which he desired might be at *Breme*; and appointed his Agent to deal with the Archbishop of *Breme* about it, who was well satisfied, promising him all assistance: he was also put in hope of the Auxiliary Forces to be in readiness to meet him there; but seeing no other appearances besides words and promises, he did not think it safe to land his little Army in a Country so distant from the Swedish Camp, when the Enemy lay betwixt them, so that he might easily have been cut off before they could joyn; therefore he resolved to sail through the *Sound*, and land but sails  
through the  
Sound; in *Pomerania*, where none lay betwixt him and the King of Sweden.

On the 16th of July he set sail from *Tarmouth-Road*, which was the place appointed for Rendezvous, his Fleet being about 40 Ships: and on the 27th he came to *Elsenor*, where he went ashore to kiss the King of *Denmark's* hand, and to deliver the Kings Letters to him for a free passage, in case he took that course; from whence he dispatched *Pennington* to His Majesty to receive further Orders, to which he had the following Answer.

James,

**I** Could not let Colonel Peebles go without telling you, that I have received your Letter of the 25th of July by Pennington. As for my resolutions concerning the Affairs of Germany, you shall know now very shortly (by the grace of God.) I have resolved to dispatch Henry Vane within ten days at furthest, till which time I thought it not amiss (by these lines) to assure you, that I neither do nor shall forget you; and then you shall see, that I remember you with that care and kindness that you may truly expect from

8 Sept. 1631.

Your loving Friend and Cousin,

CHARLES R.  
 On



*An. 1631.* On the 29th of July he set sail again, and on the 31th came to the mouth of the *Oder* between *Voll-Gast* and the *Isle of Usedom*, where the *Swedes* had first landed; so on the 2d and 3d of *August* he landed his Forces, which upon muster were found to be above 6000 able men. The next day they passed over from the Island to the Continent, and there he had a return from the King of *Sweden*, by the Messenger he had sent to give him notice of his safe arrival. That King welcomed these tidings with much joy, and appointed him to go into *Silesia* for the reducing of that Country, promising that the Army he was engaged to give for his assistance should meet him on his way; and with this he sent him a Commission to be his General in *Silesia*.

The fame of this Army run through *Germany*, being represented to be about 20000 men, which struck a great terror into the whole *Imperial* Party, so high was the fame of the *Scots* valour: and it was confessed through *Germany*, that the Marquis his coming at this time was a great occasion of the famous Victory obtained at *Leipsick* in the beginning of the next moneth; for the fame of this made the Elector of *Saxony* agree presently with the *Swedes*, and encouraged the whole Protestant Party, who now hoped to see the assistance of *Britain* prove more effectual than it had been formerly: it also obliged *Tilly* to leave about six or seven thousand more in his Garrisons than otherwise he would have done, which weakened him much at the next Battel. But the Country they landed in was totally wasted, both by the *Imperial* Army, which had been led through it the former year, and by the *Swedish* Army that had lately passed it; so that they met nothing before them, but Vastation, Plague, and Famine.

A little after that the King of *Sweden* desired the Marquis to come to him, and receive Orders from himself; so he went, and found him on the other side the *Elb* at *Werben*. That King caressed him with the highest expressions of kindness, professing extraordinary obligations to him, and acknowledged what advantage the very name of his Army had already done him. The Marquis discovered in that noble Conquerour an air of Majesty and Courage which could not be equalled, neither was his Prudence in Affairs inferiour to his Conduct of Armies: but those rare excellences were much soiled with unsupportable Pride and Ambition, which grew with his success to an intolerable degree. He pressed the Marquis to solicit his Master earnestly for a more vigorous supply, both of men and money; and he excused his not sending the Forces he had promised to meet him, since his design was presently to give *Tilly* Battel, so that he could not weaken his Army; but he bade him levy what *Germans* he could, whose Pay the King of *Sweden* said he should advance; and so he sent him away to keep *Custrin*, *Frankfurt* and *Lansberg*, and other Passes on the *Oder*, for his retreat in case he were beaten.

Whereupon the Marquis marched with his Army from *Stetin* up to *Frankfurt*, but the Famine was so great in this wasted Country that it was scarce possible for them to subsist. The Plague was also at *Frankfurt*, which broke in upon their Army so hotly, that in a few days it swept away above a third part of them, and came so near the Marquis himself, that one of his Pages died of it: yet so tender and so equally divided was his care of the Souldiers, that notwithstanding of all the straits they were in none of them mutined or complained of him. Af-

ter

*An. 1631.*  
he lands in  
*Germany* with  
6000,

in good time  
to the King of  
*Sweden*.

The Marquis  
goeth to the  
King of *Swi-*  
*den*,

who sends  
him to keep  
some Passes,

where the  
Plague broke  
in on his Ar-  
my.

ter the great Victory of *Leipsick*, which altered the whole state of Germany; the King of *Sweden* ordered the Marquis to march up to *Silesia*, though 200 Horse and 300 Foot were all the Auxiliaries he sent him. An. 1631.

At this time the Marquis had notice from the Governour of *Crossen*, which was a good Town in the borders of *Silesia* in the *Swedes* hands, that they were besieged, and were so weak within that they could not hold out long; whereupon, that being a place of great importance, the Marquis sent *Lesley* with 500 men for their relief, who no sooner arrived but the Enemy retired, though they had resolved to assault the Town that morning; and went away in such haste, that they left a great deal of their Baggage behind them, and some Cannon, which were taken by these of the Garrison. And a few days after that the Marquis had intelligence, that the Garrison of *Guben* (a Town in *Silesia* in the Emperours hands) was much weakened; 2500 Souldiers had lien in it, but 2000 were drawn out for recruiting the *Imperial* Army, and 500 onely remained, who as he heard kept but bad Guard; whereupon he sent *Lesley* with 600 men to surprize the place: but his intelligence proved false, for they kept good Watch, and had barred up two Ports; the third had two Draw-bridges and was well-guarded. But *Lesley* lay close in the Suburbs, expecting the letting down of the Bridge at next Sun-rising, for they within knew nothing of his being so near them; so next morning as the Bridge was let down, *Lesley* caused a few Horse to come for making the Port good till the Foot should advance. These of the Town got the Port shut on them, yet they kept the Bridge; but the Foot coming up, after half an hours sharp dispute upon the Bridge, they did with Hatchets cut a hole in the Port, at which a few of the more resolute entered, and opened it for the rest: a great many of the Enemies were killed, and about 250 Souldiers, with 4 Captains and some Under-officers, were taken prisoners, who took service under the Marquis. The taking of this Frontier Town put much courage in his little Army, and from this he was setting forward to *Glogow*, the second Town of *Silesia*, with good hopes of carrying it: but as he was to march, he received Letters from the *Swedish* King, telling him, that by his Agreement with the Duke of *Saxony*, that Elector had undertaken to reduce *Silesia*; wherefore he appointed the Marquis to follow him into the lower *Saxony*. The Marquis regrated extremely, that after he had marched so many days through a desert Country, and was now come to a plentiful one, where there were fair hopes of good success, he should be presently called back into those barren and wasted Fields. But he began to find the King of *Sweden* was blown up with Success, and neglected those he had formerly caressed; and *Silesia* being united to the Crown of *Bohemia*, he understood that the King of *Sweden* would never trust him in any Country where the King of *Bohemia* had interest. He once thought of going forward at all adventures, but the King of *Sweden* had ordered his Garrisons in that Country to acknowledge him no more; so he was forced to return to *Custrin*, and there he got Orders to come and besiege *Magdeburg*. He relieves Crossen, and takes Guben; but is recalled to besiege Magdeburg.

His Army was strangely diminished, for he was forced to leave a thousand behind him with the Plague upon them, and about another thousand were divided in Garrisons, and so he had but a thousand and five hundred of his own men, and about three thousand *German* Foot,

An. 1631. whom he had raised; whereupon with these, and a thousand Swedish Horse, he came and blocked up *Magdeburg*, which being the chief Town of the lower *Saxony*, had a great Garrison of about 3000 within it, commanded by one of the Counts of *Mansfeld*. That great and flourishing City had been besieged and taken by *Tilly* the same year, where the Inhabitants were cut down, and the City burnt all to ashes, except 80 or a 100 houses about the great Cathedral, by a cruelty which had not been practised by the *Goths* or *Vandals*; for neither Age nor Sex was spared, nor was there any cessation till all were butchered down; and here it was, that *Tilly* had brought together the whole plunder had been taken in all his Victories, so that it was full of riches, besides the great importance of the place. The Marquis could have no great hopes of carrying it, when they within were almost as strong as he was without, for all that *Bannier* brought to his supply, made in the whole not 7000 Horse and Foot: there was no attempting of it by storm, for it could onely be carried by starving them, so that there were no blows given, except in two little Skirmishes not worth the naming.

Sir Henry Vane  
comes Amba-  
sador to the  
King of Swe-  
den.

At this time the King sent over Sir *Hen. Vane* Ambassadour to the King of *Sweden* to enter in a League with him; who gave the Marquis advertisement of his landing from *Hamburg*, and that he was ordered to communicate all his Instructions to him, and to proceed in every thing according to his advice, in particular to espouse all his Concernments as the Kings own; and with this he sent him the following Letters from His Majesty.

James,

According to my promise I have dispatched Henry Vane, whom I have commanded to impart unto you both his publick and private Instructions; so that it will be a good excuse for my laziness in writing shortly to you, and a testimony to you, that your absence neither makes me alter nor forget you; for you may be assured, that my Trust of you is so well-grounded, that it lies not in the power of any body to alter me from being

Hampton-Court.  
21 Sept. 1631.

Your loving Friend and Cousin,

CHARLES R.

#### POSTSCRIPT.

As you have begun, so I desire you may continue, in letting me hear from you as oft as you have occasion; the last I received from you was the 7th of August.

The other had followed the Ambassadour.

James,



An. 1631.

James,

Just now I have received a Letter from you, dated the 22th of August from Stetin, half of which is in Cypher, but I am afraid I shall hardly read it; for there is so little distance betwixt the numbers, that it seems but one continued number from the beginning to the end of every line; so that I must desire you henceforward to distinguish your numbers perfectly: as soon as I have decyphered this, you shall have an Answer of it from

Hampton-Court,  
23 Sept. 1631.

Your loving Friend and Cousin,

CHARLES R.

The Ambassadour desired him to name any place where he might come and speak with him, before he saw the King of Sweden, for he had no mind to begin his Treaty till he had spoke with him; and at the same time the King of Sweden desired him to come to his Camp for a few days, in order to the carrying on the Treaty, which he knew the British Ambassadour was coming to propose.

Whereupon he left his Army under the Command of Lesley and Bannier, and went to the King of Sweden, whom he found at Frankford on the Main, much blown up with Success, so that he seemed to make less account of the Kings Friendship; yet he expressed a great desire to finish the Agreement, and when he appointed Gustavus Horn to negotiate with the Ambassadour, he ordained him to make the Marquis Umpire of all their Differences, declaring, that he would stand to his Decision.

This, which is yet to be seen under his Hand and Signet, was an unusual Complement from that high-spirited King; but the Marquis thought not fit to put it to the Test, how much of it was meant for reality. He pressed the King of Sweden for more Auxiliaries, but was sent back by him to his Army, loaded onely with hopes and fair words. So he came again to Magdeburg about the end of December, where he found that they within were much straitned, and (as another Historian acknowledgeth) had Bannier been as forward as the Marquis was, the Town might have been rendred. On Christmas-Eve they came to a Parley, and would have in few days rendred it: but on the second day of their Treaty they had notice that Papenheim was coming with an Army to their relief, whereupon the Treaty broke up, and Bannier would have been retiring. The Marquis pressed his stay, but he produced his Orders to command all the Dutch and Swedish Forces, and not to hazard an Engagement. This the Marquis looked on as a great breach of Agreement, that any should have Command in his Army but himself, but he must be patient; whereupon he retired to Saltsa, two leagues from the City, where he expected Duke Weimar with 5000 men, and resolved on his arrival to have given Papenheim battel: but Weimar came not, and Bannier drew his men yet further away to Kalbe, a league and a half off, and passed the River Sala, pressing the Marquis to pass with him, so afraid was he of Papenheim; but the Mar-

The Marquis  
goes to the  
King of Swe-  
den.

Magdeburg  
comes to a  
Parley;

An. 1632.

An. 1632. quis sent Sir Jacob Asbley to view the Pass, who told him it was so good, that he might safely march away in a quarter of an hours warning, in spite of Papenheim and his Army, upon which he would not stir. *but is relieved by Papenheim,* Meanwhile Papenheim advanced with his Army, which he gave out to be ten or twelve thousand, though it was onely 4700 men; but, to make the fame of it greater, the Purveyors who went before him made provision for near thrice so many: his men were drawn out of Garrisons, and brought up in all haste; and if Bannier had not been stiff, it had been easie to have fought him, and the least foil given him had made Magdeburg their own. *who leaves it.* Papenheim getting to Magdeburg, and finding that it could not be kept, marched away with the Garrison, and every thing worth carrying with them; but when he came out of the Town, the Marquis and he fac'd one another in a Plain betwixt Kalbe and Saltsa, and the Marquis, though very much weaker than he, yet had a great mind to have engaged: but Bannier would not think of it, neither had Papenheim any mind to provoke them, and so he marched away: thus Duke Weimar's slowness, and Bannier's carefulness, lost them that occasion. After Papenheim was gone the Marquis entred Magdeburg, where he found they had left about 40 peece of Cannon, and great store of Ammunition, with plenty of Corns: he staid there till the beginning of February, that the King of Sweden ordered him to lie about Halberstadt: but his Souldiers were ill-entertained, and those he had levied in Germany were pressing for Pay, which should have been advanced by the King of Sweden; therefore in the middle of February he went to that King, who received him with his former kindness: and by other Letters from His Majesty he found, he was still so happy as to retain the room he had in his Heart, which appeared by the two following he found there from His Majesty.

James,

I Have received four Letters from you almost all together, (to wit, of the 23th of September, of the 8th and 14th of October, and of the 11th of November; this last being under Henry Vane's Cover :) which makes me not let this Post go, without letting you know of the receipt of your Letters, having little other thing to write to you at this time; because I am taking two or three days to make a full Dispatch to you and Henry Vane, that you may know the uttermost of what you may expect from hence, assuring you that in all these Conditions you shall still find me to be

Whitehall,  
16 Decemb. 1631.

Your loving Friend and Cousin,

CHARLES R.

James,

An. 1632.

James,

**Y**ou know that I am lazie enough in writing, being willing to find excuses to write short Letters; therefore, though I confess that at this time I have matter sufficient to fill a long Letter, yet in earnest (having commanded Henry Vane to acquaint you fully with all my resolutions) it were needless to trouble my self with writing, or you with reading, a long Letter: therefore I will onely say, that you will find that I neither mean to forget, or break my Promises to you, and that you will not be unluckie if you have but as good fortune in all your actions, as is wished to you by

Whitehall,  
31 Decemb. 1631.

Your loving Friend and Cousin,

CHARLES R.

But there were great rubs in the Treaty with *England*: the main thing pressed by the Ambassadour was, that the King of *Sweden* should give the Marquis an Army, with which and the Forces and Moneys to be sent from *England*, he should fall in on the *Palatinat*. But the King of *Sweden* proposed unreasonable Conditions, demanding greater Assistance from the King of *Bohemia* than the whole *Palatinat* could have given in its most flourishing Condition, and some Cities of the *Palatinat* to be put into his hands till the Wars were ended; with many other hard Conditions, almost as severe as these which had been proposed by the Emperour: so that the Marquis did clearly perceive, *Gustavus* was beginning to reckon on all *Germany* as his Conquest, and that he was to give what Laws he pleased in it. Thus the Ambassadour and he were in very ill terms, but he continued to use the Marquis with great civility; yet he still declined to give him a Commission to levy a new Army, neither would he pay him those Summes of Money he had laid out in his Service; and his Chancellour said to him, they knew very well he had spent none of his own Money, having gotten 100000 *l.* from his Master. He answered, though that were true, he and his Master were to reckon, but that must not be set to their Account.

The King of  
*Sweden* pro-  
poeth unrea-  
sonable terms  
to the King.

In *April* the Marquis desired, that some order should be taken with the remainders of his Army till he got a new one, for their number at that time could onely have made him a Colonel, but not a General; so they were reduced into two Regiments, the one of *English*, and the other of *Scots*: the *English* were commanded by Colonel *Bellandin*, since made Lord *Bellandin*, and the *Scots* by Colonel *Hamilton*, and they were put in Duke *Weimar*'s Army.

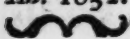
The Marquis's  
Army is redu-  
ced to two  
Regiments.

The Marquis sent over Sir *Jacob Asbley* to give the King accounts of what passed, who was quickly dispatched back with the following Letter.

James,



An. 1632.



James,

**Y**OU did very well to acknowledge to the Chancellour of Swede his allegation concerning the 100000 l. that he supposed you had from me for His Masters Service, and so much as you did reply to him thereupon was good ; but methinks you might have added that, that would more plainly have shewed him his error, which is, That if his Master would not accompt to you for what I gave you, yet, if he will take notice of it that way, it were reason not onely that he should thank me for it, but also suffer me to put it on his accompt in part of that Assistance I am to give him ; but if he will (as he ought) stand to his bargain with you, then he must leave you and me to reckon together, having nothing to do to enquire particularly what passes betwixt us. I need write little more to you at this time, the trust and sufficiency of this Bearer making it needless, onely to recommend him to you as you did to me, and to tell you freely, that you had done better in my mind if you had reserved to him the English Regiment, when your Army was reduced. This I write merely of my self, (on my word) for no body knows that I do this, and I never heard any blame you for it : and for Jacob Ashley himself, he is so far from censuring of you, that you need wish to be no better than he calls you ; and he solicits your business beyond the diligence and industry of a fee'd Lawyer. So referring myself for what else I have to say at this time to him, I rest,

London, the last  
of April, 1632.

Your constant loving Friend and Cousin,

CHARLES R.

#### POSTSCRIPT.

*I hope shortly you will be in a possibility to perform your promise concerning Pictures and Statues at Muncken, therefore now in earnest do not forget it.*

The King of  
Sweden refuseth to give a  
new Commission.

All this Summer the Marquis followed the King of Sweden in the quality of a Volunteer, of which he was sufficiently weary : but he found that King was so jealous of him, that he was not to expect any Trust near or in the *Palatinat*, where he desired most earnestly to be employed, and that he did put him daily off ; in which the King of Sweden's design was, that by his Impatience he might be quickned to carry on the Treaty with *England* on any terms. But no consideration of his own could make him betray his Masters Service, or drive on Propositions which he judged so dishonourable for him, as were those he offered about the *Palatinat* ; wherefore he wrote to His Majesty to receive his positive Commands what to do. His Majesties Answer follows.

James,

An. 1632.

James,

I Have received three Letters from you by James Lesley, about the 25th of July, all which I assure you have given me very good satisfaction, as well for your right understanding of Affairs in general, as to give me a light how to direct yours in particular, which at this time is the onely subject of mine. One of two you must chuse, either to stay, or come away. For the first, it were very Honourable to doe (in the timis of Adion) if you had an Employment, but neither having, nor likely to have any hereafter, it were dulness, not patience, to stay any longer; yet it is fit to come off handsomly, neither shewing impatience nor discontentment, if may be, although I think you have cause for both: therefore I have commanded Henry Vane to propose a new Employment for you, which though I think it will not take effect, yet it will shew, there is no way unsought for to find you out an Employment with the King of Sweden. It is, that you may be sent into the Palatinat, to assist the French with so many men as my Contribution will maintain; which if it may be done, they promise me to put the lower Palatinat in my hands. This though I do not hold as Gospel, yet, if this design might be put in practice, it might certainly prove useful to my Affairs: this being denied, (as I think it will) you have no more to doe but to seek a fair excuse to come home, which will be best, in my opinion, upon the conclusion of the Treaty between Sweden and Me; or if any rubs arise, that you might be sent to clear it with me. So that upon the whole matter my Judgment is, that if you cannot serve me in the Palatinat, (as I have already said) the best way is, that you take the first civil excuse to come home to

Oatland,  
1 Aug. 1632.

Your loving Cousin and faithful Friend,

CHARLES R.

## POSTSCRIPT.

David Ramsay will (as I imagine) meet with you before you come hither, which if he doe, I hope you will remember what I have said concerning him already.

But at this time Oxenstern demanded a League Offensive and Defensive between the Crowns of Britain and Sweden, and that the making of Peace in Germany should be onely in the King of Swedens hands. This varying wholly from the former Treaty, wherein they had onely treated about the Affairs of Germany, and whereby no Peace could be with-

An. 1632.  
The Treaty  
breaks up.

The King of  
Sweden in  
great passion.

The Marquis  
returns to  
England.

without the Kings consent, the Ambassadour and he broke up in very ill terms; and on the back of this, the Marquis pressing the King of Sweden to assign him a Country for levying a new Army, His Majesty answered him with a new delay: but he told that King, that he had been now fifteen moneths from his own Country, and though he had been at a vast expence he had received nothing in that Service, and that his Heart was too great to be a perpetual Volunteer, as he had been these divers moneths past; wherefore he pressed for a present Answer. The King of Sweden confessed he had reason to be weary, and he acknowledged the great obligation he had to him, and that he would always look upon him as one of his best Friends; but said the blame of all the delays he met with fell on the *English* Ambassadour, on whom he fell a-railling with the greatest passion that the Marquis had ever seen him in; and in a huffing way pulled the Marquis his Hat out of his hand, and clapped it on his own head, and went stamping up and down the room in great rage. The Marquis stunned the Discourse, since as he could not condemn the Ambassadour, so he would not irritate the King of Sweden by an ill-timed Justification of him: but the chief reason of his passion was, that many of the Princes of *Germany* were beginning to talk, that their Deliverer was like to prove a greater Tyrant than the Emperour had ever been, and he suspected the Ambassadour was Caballing with them.

But the Marquis seeing nothing but delays, desired liberty to return to *England*, that he might levy a new Army, and remove any Misunderstandings were betwixt his Master and the King of Sweden. This Proposition was so fair that it could not be refused; so on the 8th of September the King signed a Commission to him for bringing over a new Army, and gave him Instructions for ending the Treaty with the King: and a little after that he took leave of him, and was dismissed by the King of Sweden and all about him with very high expressions of Friendship, that King telling him, that in whatsoever place of the World he were, he would ever look upon him as one of his own.

As he was returning home he received the following Letter from the King,

James,

I Wrote to you in my last to find a pretext to come home, but now I must tell you, it is not fit to stay any longer where you are; for the impossibility of your Employment there, and the necessity of your business here, requires your return; so that at this time I'll say no more but, Nil mihi rescribas, attamen ipse veni; for you shall be no sooner come than welcome to

Hampton-Court,  
24 Sept. 1632.

Your faithful Friend and Cousin,

CHARLES R.

And thus ended the Marquis his Expedition into *Germany*, wherein if he missed that Success which himself or others had expected, it was no mis-



miscarriage nor neglect of his own ; nor could it be said that he had failed in a jot of what he undertook, though almost in every particular the King of *Sweden* failed to him ; neither was any thing so much the occasion of these neglects he met with in *Germany*, as the firm affection he bore his Masters Service : yet though this lessened his Confidence in him, yet it could not but increase his Esteem of him. 'Tis true, he did not survive this long, to give any expressions of it ; for in *November* next at *Lutzen* was that great and conquering King brought to the end of his days, and so all his thoughts and grasping designs did perish with him ; onely the Renown of his never-dying Fame survives.

An. 1632.

The King of Sweden is killed.

But both *Oxenstern* and his other Counsellours in their Addresses to the *English* Court, during the Minority of their young Queen, did commend all their Affairs to the Marquis, as to one of their own Nation, with the highest expressions of Esteem and Friendship ; and divers of the Electors and Princes of *Germany* were much taken with his Conversation, having seen him in the *Swedish* Camp, and continued their Friendship with him both by Correspondence and Presents.

When he returned to Court, his reception with the King was as affectionate as his parting had been, and he continued about His Majesty in the highest Characters of Favour ; but he kept himself much out of business, meddling little in *Scottish* Affairs, except it had been to procure a particular kindness to his Friends, in which he was so sparing, that many were dissatisfied with him for it.

The Marquis is well received at Court.

Next year the King went into *Scotland*, to receive the Crown of that his ancient and native Kingdom, and held a Parliament there ; thither did the Marquis follow him, assisting at that Ceremony according to his Rank with much joy. But his Expedition to *Germany* had involved him and all his Friends in vast Debts ; yet his Lease of the Customs of the Wines was a good Security, and fully able to free him of that burden, and was ratified in that Parliament. But the Earl of *Traquair*, who was then Treasurer-Deputy, suggested to the King, that these Customs were the readiest and surest Moneys that the King had, and that the Treasury would signify little without them : wherefore he moved that some other way might be fallen upon, for refunding the Expence the Marquis had been at for his Army in *Germany*, that so these Customs might return to the Treasury. All the Marquis his Friends having got a hint of *Traquair's* Proposition, pressed him to oppose it with all his Interest ; since the Security he had was good, and well-settled on him by Law, and any new Project could be fallen on, would neither prove so sure, nor so speedy Payment. But *Traquair's* Proposition pleased the King well, and he moved it to the Marquis, who without either murmuring or reluctancy offered back his Lease of the Customs of the Wines, and submitted his whole pretension to the King.

An. 1633.

He waits on the King to his Coronation in Scotland.

But His Majesty was both just and generous, and so would not suffer him to be ruined by those Burdens which had been contracted by his own Commands ; wherefore a Taxation being laid on the Country by the Parliament for the Kings supply, together with another Imposition of two of the ten, which was then the Interest of Money, the Collecting of these was put in the Marquis his hands till he should be paid all was due to him by His Majesty for the Expedition to *Germany*, and for some other great Summes His Majesty was owing, which he undertook

An. 1633. took to pay ; and for the rest he was to be accomptable to the Treasury, upon which he yielded up his Lease of the Customs of the Wines.

In the end of that year His Majesty sent down the Marquis to settle, with the severall Shires and Burroughs of *Scotland*, both for the Taxation and the Two of the ten : and though his Power in that was full, so that he might have acted singly ; yet he would do nothing without the consent of the Lords of Exchequer and Session. He spent some moneths in these Agreements, and after he had settled with the greatest part, he returned to his attendance at Court, having devolved the management of his Fortune and private Affairs on his Friends : and thus his Fortune was in a few years recovered from the burdens it lay under.

A year after that he was sent down again to examine the Earl of *Morton's* Accompts, who was Treasurer, and then he gave a new Instance of his being against the ingrossing of Power ; for though his Trust warranted him to have acted singly, yet he carried along with him in all his procedure the whole Exchequer.

And this is all the meddling that (for ought I find) he had in publick Affairs till the Year 1638.

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MEMOIRES

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## MEMOIRES

OF THE  
LIFE and ACTIONS  
OF

James Duke of Hamilton, &c.

LIB. II.

*Of what passed while the Marquis was Commissioner in  
Scotland in the Years 1638, and 1639.*



Therto the course of the Marquis his Life had been more easie and serene, but henceforth we shall find it a tract of Clouds and Storms; for now he came to engage in a disorderly Affair, if ever any was: he found it troubled, but had no hand in the occasions of these Confusions, having abstracted himself from publick Affairs for divers years, meddling no further than in giving general Advices when called for, and so far had he been from engaging himself in any designs, that at his entry upon business there was neither Privy Counsellour, Officer of State, nor Lord of the Session, of his recommending, or that depended on him, the Justice-Clerk onely excepted.

But because this year gave the rise to those dismal Troubles, whose tragical Catastrophe we have all felt so sensibly, and since the Affairs of Scotland were wholly and onely trusted to the Marquis his Conduct for this year, the account of it shall be enlarged, perhaps to tediousness: but it is hoped that the importance of the Narration shall more than compensate the pain of its length. And this is the more necessary, because the Marquis his Actions this year are generally so little known, and so ill represented; besides, that great Encouragement is offered from the copious and authentick materials yet extant, for composing of this Narration. But to give a clearer prospect of the State of things before his Negotiation, an account must be given of the rise and occasion

An. 1638.  
The Marquis  
enters on the  
Affairs of  
Scotland.



An. 1638. of this years Disorders, and of the state in which he found matters at his first Engagement.

A brief Summary of Church-affairs from the Reformation to the present Year.

What is here to be said as a requisite Introduction to these Transactions, is indeed out of the Road, and not made out by his Papers; but the Discourse will be grateful, it is presumed, to those who have not had a true, full, and clear Information of the particular passages of these Times: whereof though some have attempted to give the World an account, yet none (for ought I know) hath done it upon knowledge or authentick Information, as what is here said of these matters shall be.

It is well known that in *Scotland* the first Reformation from the corruptions of Popery was Popular, without the concurrence or allowance of Supreme Authority, though the Nobility for the most part joyned in it; and the Preachers being the chief actors and prosecutors of it, came to have great power over the People and interest with the Nobility.

The Ministers were popular and factious.

It continued thus during King *James* his Minority; but no sooner came he to assume the Government, and to consider the state of the Kingdom, than he found the power the Ministers had with the People was swelled to such insolence, that it was more than necessary to limit it to its just bounds: for nothing passed in the Court or Council but their Pulpits did ring with it, and no favour was shewed to any that were Popishly affected, but Jealousies were infused into the minds of the People, as if Religion had been in hazard; and the People being then in their first fervours against Popery, were apt to take those Alarms pretty hot; neither did the King cherish any who was not devoted to them, but they did represent him a Favourer of Popery. They also held Opinions which favoured too much of that Church which was so odious to them, concerning the power of their Assemblies, and their not being accountable for what they preached, how Treasonable soever, till it were first judged by the Church-Judicatory; where all such things were sure of a mild Censure, to say no worse: divers other Tenets they held, which were judged inconsistent with good Government. But many of them being popular Preachers, and of insinuating tempers, they were much depended upon by the People, who looked on all their Excesses as holy zeal.

King *James* brought in Episcopacy,

King *James* bent all his thoughts to the regulating of this, and judging that the onely course to effectuate it was, to have some few of greater temper and discretion to be set over the rest, he studied by all means to get Episcopacy introduced in *Scotland*; promising himself, by that means, an infallible remedy of all these Evils, of which he was extremely sensible, though his great Gentleness made him very slow in punishing them: but they foreseeing well the Kings Intentions, and the effects they might produce, did as cautiously resist all his attempts that way.

though not without great and long opposition.

I shall not tell what endeavours that wise and peaceable King used for compassing of his designs, nor with what hindrances they were obstructed: but no sooner was he happily settled on the Throne of *England*, but he went more roundly to work; and yet it was not without opposition that he got Episcopacy settled and ratified in Parliament, Anno 1612. But though great art was used to get Assemblies framed to the Kings designs, he could never compass it.

Epi-

Episcopacy being settled, King *James* also erected a High Commission Court, for punishing such as offended against that Constitution of the Church. This Court was made up of Bishops, and other Noblemen and Gentlemen; but the Bishops being those who kept the Diets of it best, most of the Secular persons absented themselves often on design, and the Bishops leading all matters in it, it was counted their Court, and the *odium* of all that passed there fell to their share.

This step being made, King *James* advanced towards an Uniformity with *England* in Worship and other Ceremonies; moved to it, either that he might thereby make way for the Union of both Kingdoms, which of all things he most desired, or that he might root the seeds of Puritanism out of *Scotland*. But in this he met greater opposition, and all the progress he made in it was, that in one Assembly it was decreed, there should be a Liturgy drawn for the use of the Church of *Scotland*; and in another at *Perth* the Five Articles, that bore the name of that place, were settled not without great contradiction: and these were the *Confirmation of Children, Private Baptism, Private Communion in cases of necessity, Kneeling in Communicating, the Observation of the Holy days of the Nativity, Passion, Resurrection, Ascension, and Pentecost*. Those were also established in Parliament, Anno 1621. where the Marquis his Father was Commissioner, and managed that Affair so dexterously, that it gained him an equal share of esteem and hatred, these things being generally very odious. As King *James* was going on warily in this design, he died, lamented and admired by all the World; and even those who had irritated him most when alive, did bewail his Death with deep and just regrets.

He was succeeded in his Throne by his only Son CHARLES the First, who was zealously conscientious for Episcopacy; so what his Father begun out of Policy, was prosecuted by him out of Conscience. The Bishops therefore were cherished by him with all imaginable expressions of kindness and confidence; but they lost all their esteem with the People, and that upon divers accounts. The People of *Scotland* had drunk in a deep prejudice against every thing that favoured of Popery. This the Bishops judged was too high, and therefore took all means possible to lessen it, both in Sermons and Discourses, mollifying their Opinions and commending their Persons, not without some reflections on the Reformers. But this was so far from gaining their design, that it abated nothing of the zeal was against Popery, but very much heightened the rage against themselves, as favouring it too much.

There were also subtle Questions started some years before in *Holland* about Predestination and Grace; and *Arminius* his Opinion, as it was condemned in a Synod at *Dort*, so was generally ill reported of in all Reformed Churches, and no-where worse than in *Scotland*: but most of the Bishops, and their Adherents, undertook openly and zealously the defence of these Tenets. Likewise the *Scottish* Ministers and People had ever a great respect to the Lords Day, and generally the Morality of it is reckoned an Article of Faith among them: but the Bishops not only undertook to beat down this Opinion, but by their Practices expressed their neglect of that Day; and after all this they declared themselves avowed Zealots for the Liturgy and Ceremonies of *England*, which were held by the Zealous of *Scotland* all one with Popery. Upon these accounts it was, that they lost all their esteem with the People.

King *James* dies.

King *Charles* goes on in his designs for the Church.

Prejudices are conceived against the Bishops.

they are charged with Popery,

and Arminianism,

and breach of Sabbath.

Nei-



An. 1638.

The Nobility  
became jealous  
of them.

Neither stood they in better terms with the Nobility, who at that time were as considerable as ever Scotland saw them; and so proved both more sensible of Injuries, and more capable of resenting them. They were offended with them, because they seemed to have more interest with the King than themselves had, so that Favours were mainly distributed by their recommendation; they were also upon all Affairs, nine of them were Privy Counsellours, divers of them were of the Exchequer, *Spottiswood* Archbishop of *S. Andrews* was made Chancellour, and *Maxwell* Bishop of *Ross* was fair for the Treasury, and engaged in a high rivalry with the Earl of *Traquair*, then Treasurer, which tended not a little to help forward their Ruine. And besides this, they began to pretend highly to the Tithes and Improvements, and had gotten one *Learmonth* a Minister presented Abbot of *Lindorfs*, and seemed confident to get that State of Abbots, with all the Revenue and Power belonging to it, again restored into the hands of Churchmen; designing also, that according to the first Institution of the Colledge of Justice, the half of them should be Churchmen. This could not but touch many of the Nobility in the quick, who were too large sharers in the Patrimony of the Church, not to be very sensible of it.

Their Presby-  
ters dislike  
them.

They were no less hateful to the Ministry, because of their Pride, which was cried out upon as unsupportable. Great complaints were also generally made of Simoniackal pactions with their Servants, which was imputed to the Masters, as if it had been for their advantage, at least by their allowance. They also exacted a new Oath of Intrans, (besides what was in the Act of Parliament for obedience to their Ordinary) in which they were obliged to obey the Articles of *Perth*, and submit to the Liturgy and Canons. They were also making daily Inroads upon their Jurisdiction, of which the Ministers were very sensible; and universally their great rigour against any that favoured of Puritanism, together with their meddling in all Secular Affairs, and relinquishing their Dioceses to wait on the Court and Council, made them the object of all mens fury.

The Liturgy is  
appointed for  
Scotland.

But that which heightened all to a Crisis was, their advising the King to introduce some Innovations in the Church by his own Authority; things had prospered so ill in General Assemblies, that they thought of these no more. And in the Parliament 1633. that small addition to the Prerogative, that the King might appoint what Habits he pleased to the Clergy, met vigorous opposition, notwithstanding the King seemed much concerned for it; those who opposed it being sharply taken up, and much neglected by His Majesty, which stuck deep in their hearts, the Bishops bearing all the blame of it.

At this time a Liturgy was drawn for *Scotland*, or rather the *English* reprinted with that Title, save that it had some Alterations which rendered it more invidious and less satisfactory; and after long consulting about it and another Book of Canons, they were at length agreed to, that the one should be the form of the *Scottish* Worship, and the other the Model of their Government, which did totally vary from their former Practices and Constitutions: and as if all things had conspired to carry on their Ruine, the Bishops not satisfied with the general High Commission Court, produced Warrants from the King for setting up such Commissions in their several Dioceses, in which with other Assessors, Ministers, and Gentlemen, all of their own nomination, they might punish offenders.

This



That was put in practice onely by the Bishop of Galloway, who *Am. 1638.* though he was a pious and learned man, yet was fiery and passionate, and went so roundly to work, that it was cried out upon as a yoke and bondage which the Nation was not able to bear.

And after all this the King (advised by the Bishops) commanded the Service-book to be received through Scotland, and to be read according to the new book at Edinburgh on Easter-day in the year 1637. yet by the Council it was delayed till the 23th of July: but then it met with a tumult from Women and the meaner sort of people, whom though none owned in that Attempt, yet there wanted not enough who suspected them to have been set on by others. However certain it was, that the constant Discourse of the discontented Ministers and Noblemen was, that Popery was to be introduced, and Liberties like to be destroyed, and the Bishops to blame for all. By such Insinuations it was, that the People were animated unto an unparalleled Fury, so that they threw Stools at the Dean of Edinburgh when he begun to read the Service, and interrupted it often, notwithstanding all the means used by the Lords of Council and Magistrates of Edinburgh to hinder it. The Lords of Council, as they complained to the King of this Disorder, so they spared not to lay the greatest blame of it upon the Bishops, which appears from the following Letter, written by the Earl of Traquair to the Marquis.

A Tumult at  
reading Di-  
vine Service.

My Noble Lord,

**A**T the meeting of the Council here at Edinburgh the 23th of this instant, *Traquair's Letter about the occasion of the Troubles.* we found so much appearance of Trouble and Stir like to be amongst people of all qualities and degrees, upon the urging of this new Service-book, that we durst no longer forbear to acquaint His Majesty therewith, and humbly to represent both our Fears, and our opinions how to prevent the Danger; at least our opinions of the way we would wish His Majesty should keep therein, or before he determine what course to take for pacifying of the present Stir, or establishing of the Service-book hereafter; wherein all I will presume to adde to what the Council hath written, is to intreat your Lordship to recommend to His Majesty, that if he be pleased to call to himself any of the Clergie, he would make choice of some of them, of the wisest and most calm Dispositions; for certainly some of the leading men amongst them are so violent and forward, and many times without ground or true judgment, that their want of right understanding how to compass business of this nature and weight, does often breed us many difficulties, and their rash and foolish Expressions, and sometimes Attempts, both in private and publick, have bred such a Fear and Jealousie in the hearts of many, that I am confident, if His Majesty were rightly informed thereof, he would blame them, and justly think, that from this and the like proceedings arises the ground of many Mistakes amongst us. They complain that the former Ages have taken from them many of their Rents, have robb'd them of their Power and Jurisdiction, and even in the Church it self and Form of Gods Worship have brought in some things that require Reformation: but as the deeds of these Times, at least the beginnings thereof, were full of notour and tumultuary disorder, so shall I never think it will prove for the good either of Gods Service or the Kings, by the same ways or manner of dealing to press to rectifie what was then done amiss. We have a wise and judicious Master, who will (nor can) urge nothing in this poor Kingdom, which may not be brought to pass to his contentment: and I am most confident,

if

*An. 1638. if he shall be graciously pleased to bear his faithful Servants inform him of the Truth, he shall direct that which is just and right; and with the same assurance I dare promise him Obedience. The interest your Lordship has in this poor Kingdom, but more particularly the Duty you owe to His Majesty, and the true respect I know you have ever carried to His Majesties Honour, and the good of his Service, makes me thus bold to acquaint your Lordship with this business, which in good faith is by the folly and misgovernment of some of our Clergie-men come to that height, that the like has not been seen in this Kingdom of a long time. But I hope your Lordship will take in good part my true meaning, and ever construct favourably the actions of*

Edinburgh,  
Aug. 27.

Your loving faithful Friend, and  
humble Servant,

TRAQUAIR.

After all inquiry was made, it did not at all appear that any above the meaner sort were accessory to that Tumult, the sequel whereof in the Afternoon had almost been Tragical, not onely to the Bishop of *Edinburgh*, but to the Earl of *Roxburgh*, for having him in his Coach. But His Majesty, though he was willing to be gentle to the Transgressors, yet continued firm to his former Resolutions, of having the Liturgy and Book of Canons established. In *October* thereafter a new Tumult fell out in *Edinburgh*, against the Earl of *Traquair* and some of the Bishops, whom the People in their fury went about to have killed: upon which by Proclamation the Council and Session, and other Courts, were removed from *Edinburgh*.

Hereupon the Earl of *Roxburgh*, who was then Lord Privy-Seal, went to Court, to give the King an account of Affairs: for all this time divers had petitioned the Council against these Books, complaining, they were contrary to Religion in the matter of them, and the Laws of the Land in the manner of bringing them in: but all he could procure was a Pardon for what was past, to such as should thenceforth live quietly, and that was proclaimed in *December*, but was far from giving satisfaction; for by this time the Malecontents were become considerable, and had formed themselves into a Body.

It was also studiously infused in the minds of all through *Scotland*, that the Bishops were introducing Popery, that many points of Popery were in these Books, and that the whole of them was both superstitious and illegal. This took mightily with the Vulgar, and the malecontented Ministers began every-where to talk high in their Pulpits against the Bishops; they also formed themselves into a Body called the *Table*, where there were Deputies from the Shires and Burroughs, and a great many Noblemen and Ministers.

They pretend  
the Security of  
Religion, and  
swear the Coven-  
nant.

That which they pretended was the Security of Religion, with the preserving the Fundamental Laws and Liberties of the Land, the Honour of the King, and the defence of his Authority: and for this end it was judged fit and necessary to renew the Covenant made in King *James* his time against Popery, and signed by that King, with his Council and Family; which, according to the new draught, was made up first of King *James* his Covenant, next of a long Narrative of all Acts of Parliament whereby the Reformed Religion was ratified; thirdly, of an Addition

dition, wherein the late Innovations were sworn against, till they were judged in a free General Assembly, and declared also to be abjured in the old Covenant, as formally as if they had been exprelly named in it : and all ended with a Bond of Defence for adhering to one another, in pursuing the ends of the Covenant. This was no sooner moved, but the advice took as if it had been an Oracle ; so the Covenant was sworn, first at *Edinburgh* in the moneth of *February*, and then sent every-where through the Country, to get the example of those in *Edinburgh* imitated ; which was accordingly done, not without great appearances of Devotion among all sorts of People, they pretending it was nothing but the preservation and purity of Religion they aimed at.

For the Covenant I judge it needless to insert it here, both because of its length, and that it is in the large *Manifesto* of the Affairs of this year, published in His Majesties Name : and therefore, that Book being both common, and of great Authority, I do not insert Papers at their length that are to be found there, and shall onely adde, that the Originals, and other authentick Justifications of that Declaration, are in my hands.

The Session or Term was held that Winter at *Sterlin*, but the Council sate often at *Dalkeith* within four miles of *Edinburgh* ; which being then so full of People, it was not judged fit for the Council to withdraw too far from it. Petitions were often offered to the Council, encouraged from the *Table*, full of Complaints against the Bishops and the late Innovations ; but they were as often rejected. Upon this the Earl of *Traquair* went to Court, and gave a full account both of the Petitions, the Humours, and the Strength of the Malecontents : and that all was occasioned by the Bishops misgovernment, and by the introducing the lately-authorized Books, with which scarce a Member of the Council (the Bishops onely excepted) was well satisfied ; neither were all these cordially for them, for the Archbishop of *S. Andrews* from the beginning had withstood these designs, foreseeing how full of danger the executing of them might prove. The Archbishop of *Glasgow* was worse pleased ; but the Bishops of *Ross*, *Dumblane*, *Brechin*, and *Galloway*, were the great Advancers of them. *Traquair* represented also, that the Body of all *Scotland* was staggering, if not wholly alienated, from their Duty to the King, and that nothing could recover them out of this distemper, but assurances of His Majesties affection to the Protestant Religion, and of his aversion from Popery, together with the laying aside of these Books, at least till better Times. At this time also the Covenanting Lords wrote to the Duke of *Lenox*, the Marquis of *Hamilton*, and the Earl of *Morton*, who were then at Court, representing their Grievances, and desiring they would offer their Petition to His Majesty, which was humble enough, though full of Complaints against these Books ; desiring they might be heard to object against them, offering under the highest pains to prove, they contained things both contrary to Religion and the Laws of the Land.

But all the Earl of *Traquair* said was suspected, his prejudices against the Bishops being known. The opposition he had made the Bishops had rendered him hitherto very Popular in *Scotland*, and there want not grounds to suspect him a secret worker in this opposition to these Books, though he seems to have been far from cherishing any further designs.



An. 1638.

The King pro-  
claims his  
firmness to the  
Protestant Re-  
ligion.

All he could procure from the King was a Proclamation, Giving assurance of His Majesties firmness to the Protestant Religion, and that great care was used in drawing the Liturgie; so that not onely it was not contrary to, but would prove a ready mean to preserve, the true Religion already received, and beat down all Superstition. Withall the King considering the disorderly Conventions had been to form Petitions against these Books, though they deserved a high Censure; yet His Majesty willing to impute that rather to a preposterous Zeal, than to any Disloyalty, therefore dispensed with them to all such as should thence forth retire, and return to their Obedience, whereupon these Conventions were in all time coming discharged under pain of Treason.

The Tumults  
grow.

This was proclaimed at Sterlin the nineteenth of February, but was so far from giving satisfaction, that it proved a crisis to greater Confusion; for it met with a Protestation as it was proclaimed, sent from those of the Tables, who notwithstanding continued to sit in that Junto. An Answer also came from the Duke of Lennox, and the other Lords at Court, directed only to three of the Lords of the Covenant in Scotland, the Earls of Rothes, Cassils, and Montrose, wherein they wrote, that they had communicated their desires to His Majesty, who answered, that as hitherto he had received all the Petitions they had offered to the Council; so he had considered them, and would declare His Royal Intentions about them. The Combuitions continuing and growing, the Council appointed a solemn Meeting to be the first of March at Sterlin, for a full examining of things that they might send their joint Advices to Court. This was likewise agreed to by the Lord Chancellour, who was then at Edinburgh, and undertook for himself, and the rest of the Clergy that were of the Council, to keep that Appointment. The first of March came, but none of the Clergy kept the day (the Lord Bishop of Brechin only excepted:) an excuse came from the Lord Chancellour; but the necessity of Affairs pressed the Lords of the Council to go on: they continued four days consulting and debating about things, but after the third day Bishop Brechin left them, seeing in what Determinations they were likely to close. The issue of their Consulting was to send Sir John Hamilton, the Justice-Clerk, to the King with Instructions, which follow as they are taken from the Original yet extant.

The Bishop  
doubting  
the Council  
would not  
go along  
with them

### INSTRUCTIONS from His MAJESTIES Council to the Lord Justice-Clerk, whom they have ordained to go to Court for His MAJESTIES service.

Instructions to  
the Justice-  
Clerk, concern-  
ing the rise  
and remedies  
of these Disorders.

IN the first place you are to receive from the Clerk of the Council all the Acts past, since our meeting upon the first of March instant.

Item, You have to represent to his Majesty, That the Dyet of Council was appointed to be solemnly kept, by the advice of the Lord Chancellour, and remnant Lords of the Clergy, being at Edinburgh for the time, who assured

us,

us, that they should keep the Dyet precisely; but at our meeting at Sterlin, we received a Letter of excuse from the Lord Chancellor, which forced us to proceed without his Lordships presence, or any others of the Lords of the Clergy, except the Bishop of Brechin, who attended us three days, but removed before the closing of our Opinions anent the business. An. 1638.

Item, That immediately after we had resolved to direct you with a Letter of Trust to His Majesty, we did send our Letter to the Lord Chancellor, acquainting him with our proceedings, and desiring him to consider thereof, and if he approved the same, to sign them, and to cause the remnant Lords of the Clergy nearest unto him, and namely the Bishop of Brechin, who was an ear and eye Witness to our Consultations, to sign the same, and by their Letter to His Majesty to signify their approbation thereof; or if his Lordship did find some other way more convenient for His Majesties Honour, and the Peace of the Country, that his Lordship by his Letter to the Lord Treasurer, or Privie-Seal, would acquaint them therewith, to the effect they might convene the Council for consulting thereabout.

Item, That you shew His Majesty, that His Majesties Council all in one voice finds, that the causes of the general Combustions in the Country, are the Fears apprehended of Innovation of Religion, and Discipline of the Kirk (established by the Laws of the Kingdom) by occasion of the Service-Book, Book of Canons, and High-Commission, and from the Introduction thereof, contrary to, or without warrant of the Laws of the Kingdom.

Item, You are to represent to His Majesty our humble opinion, That seeing as we conceive the Service-Book, Book of Canons, and High-Commission, (as it is set down,) are the occasion of this Combustion, and that the Subjects offer themselves, upon peril of their Lives and Fortunes, to clear that the said Service-Book and others foresaid, contain divers Points, contrary to the Religion presently professed, and Laws of the Kingdom, in matter and manner of Introduction; That the Lords think it expedient, that it be represented to His Majesties gracious Consideration, if His Majesty may be pleased to declare, as an act of his singular Justice, that he will take trial of His Subjects Grievances, and the reasons thereof, in His own time, and in His own way, according to the Laws of this Kingdom; and that His Majesty may be pleased graciously to declare, that in the mean time he will not press nor urge His Subjects therewith, notwithstanding any Act, or Warrant made in the contrary.

And in case His Majesty shall be graciously pleased to approve of our humble opinions, you are thereafter to represent to His Majesties gracious and wise Consideration, if it shall not be fitting to consult His Majesties Council, or some such of them as He shall be pleased to call to Himself, or allow to be sent from the Table, both about the time and way of doing of it.

And if His Majesty (as God forbid) shall dislike of what we have conceived most conducing to His Majesties Service, and Peace of the Kingdom, you are to urge by all the arguments you can, that His Majesty do not determine upon any other course, until some at least of His Council from this, be heard to give the reasons of their Opinions; and in this case you are likewise to represent to His Majesties Consideration, if it shall not be fitting and necessary to call for His Informers, together with some of His Council, that in His Own presence, he may hear the Reasons of both Informations fully debated.

You shall likewise show His Majesty, that His Council having taken to their Consideration, what further was to be done for composing and settling of

An. 1638. the present Combustion within the Kingdom, and dissipating of the Convocations and Gatherings within the same, seeing Proclamations are already made and published, discharging all such Convocations and unlawful Meetings, the Lords, after debating, find they can do no further than is already done herein, until His Majesties pleasure be returned to this our humble Remonstrance.

Signed,

Traquair.	Lauderdale.	Napier.
Roxburgh.	Southesk.	J. Hay.
Winton.	Angus.	Tho. Hope.
Perth.	Lorn.	Ja. Carmichael.
Wigton.	Down.	W. Elphinston.
Kinghorn.	Elphinston.	

These Instructions being afterwards transmitted to the Lords of the Clergy, were returned signed as follows,

St. Andrews.	Tho. Gallovid.
Da. Edin.	Wal. Brechinen.
Jo. Dumblanen.	

This was seconded by a private Letter to the King, signed by Traquair and Roxburgh, which follows copied from the Original.

Most Sacred Sovereign,

A Letter from  
Traquair and  
Roxburgh to  
the King.

Although the miserable Estate of this poor Kingdom will be sufficiently understood by Your Majesty from this Gentleman, Sir John Hamilton's Relation; yet we conceive our selves in a special manner bound and obliged to represent what we conceive does so nearly concern Your Majesties Honour and Service; and therefore give us leave truly and faithfully to tell Your Majesty, that since the last Proclamation, the fear of Innovation of Religion is so apprehended by all sorts of Subjects from all corners of this Kingdom, that there is nothing to be seen here but a general Combustion, and all men strengthening themselves by subscribing of Bonds, and by all other means for resisting of that which they seem so much to fear. This is come to such a height, and daily like to encrease more and more, that we see not a probability of Force or Power within this Kingdom to repress this Fury, except Your Majesty may be graciously pleased, by some Act of Your Own, to secure them of that which they seem so much to apprehend, by the inbringing of the Books of Common-Prayer and Canons.

The way which the Subjects have taken and daily go about in the prosecution of their business is inexcusable, and no ways agreeable to the duty of good Subjects, but Your Majesty is wisely to consider what is the best and safest course for Your Own Honour and Peace of Your Government; and since Religion is pretended to be the cause of all, if it shall not be a safe course to free them at this time of Fears, by which means the wiser sort will be satisfied, and so Your Majesty enabled with less pain or trouble to overtake the Insolencies of any, who shall be found to have kicked against Authority.

We are the rather moved at this time to be of this opinion, that having found it the opinion, not only of those to whom Your Majesty wrote in particular;



cular, (except of the Marquis of Huntley, who as yet is not come from the North: ) but of most of the Noblemen, and men of respect within this Kingdom: we find few or none well-satisfied with this business, or to whom we dare advise Your Majesty to trust in the prosecution thereof; and if any have, or shall inform Your Majesty to the contrary, give us leave humbly to intreat Your Majesty, to be pleased to call them before Your Self, that in our presence You may hear the reasons of both Informations fully debated. So praying God to grant Your Majesty many happy days, and full contentment in all Your Royal designs, we humbly take our leave, and rest,

Sterlin March 5.  
1638.

Your Majesties humble Servants,  
and faithful Subjects,

Traquair.  
Roxburgh.

There was also (besides many private Letters recommending this business) a publick Letter written by the Council to the Marquis, which follows taken from the Original.

Our very Honourable good Lord,

**W**E finding the Subjects Fears and Stirs to encrease since the last Proclamation, did appoint by the Lord Chancellour, and other Lords of the Clergy, their Special Advice, a solemn Dyet of Council to be kept at Sterlin, on the first of March, where the Lord Chancellour, and other Lords of the Clergy, promised to be present to consult upon the growth of the publick Evils and Remedies thereof, for His Majesties Honour and Peace of this Country; but having met at Sterlin, we received a Letter of excuse from the Lord Chancellour, and were forced to proceed without him, and the other Lords of the Clergy; where, after we had spent four days in advising upon the said Evils and Remedies of them, we resolved in end to direct Sir John Hamilton of Orbiston, one of our number, with a Letter of Trust from us to His Majesty, to whom we have imparted our Opinions, and Reasons of the said publick Ills, and Remedies of the same, to be represented to His Sacred Majesty; and because the business is so weighty and important, that in our opinion the Peace of the Country was never in so great hazard, we have thought fit to recommend the business to your Lordships consideration, that after your Lordship has heard the Justice-Clerk therein, your Lordship according to your great interest in His Majesties Honour and Peace of the Kingdom, may concur by your best advice and assistance at His Majesties hands to bring these great and fearful Ills to a happy event. So committing your Lordship to the Grace of God, we rest

A Letter from  
the Council to  
the Marquis.

Sterlin March 5.  
1638.

Your Lordships very good Friends,

Traquair.  
Roxburgh.  
Winton.  
Perth.  
Wigton.  
Kinghorn.

Lauderdale.  
Southesk.  
Angus.  
Lorn.  
Down.  
Elphinston.

Napier.  
J. Hay.  
Tho. Hope.  
J. Carmichael.  
W. Elphinston.

The

*An. 1638.* The Covenanters also wrote again to the Scottish Lords at Court, desiring Liberty to send up one to represent their Grievances; for they doubted the Council did not use them well, and one of them wrote very peremptorily to the Marquis, *That they were resolved rather to hazard the whole Business, than change a word of their Petitions, and that they would quit their Lives, if they got not granted to them what they desired.*

The King resolves to send the Marquis Commissioner to Scotland.

The Justice-Clerk being thus instructed came to London, where, after he had discharged himself of his Trust, His Majesty partly doubting his Council, partly hoping the Authority of a Commissioner might qualify the Peoples fury not a little, resolved to chuse one; and about this he made no long Deliberation, but presently set his thoughts on sending the Marquis to Scotland for that Service: and it was the opinion of all, that a fitter choice could not have been made, both because of his Quality and Kindred, as also that he was at this time free of all Jealousies; for his course heretofore had been more like a Courtier than a Statesman, so that he was untouched with the suspicions of what had been hitherto done, his Advice having scarce ever been called for, so he was fitter to treat with that Party; but chiefly his temper was so obliging and insinuating, that none alive was more able to gain people to Reason, and to manage their Spirits than he was.

It is alledged that some moved the employing my Lord Huntley for this Service, but no vestige of such a motion appears; and if it was made, it could not take with the King, who at that time knew not Huntley well: and since the King designed to try all could be effectuated by Treaty, there was not a person so unfit for it as the Marquis of Huntley; for his Family being always odious to that Party, and himself all his life suspected of Popery, he had been a very improper person to be employed for drawing those sinistrous Jealousies out of the Subjects minds: But His Majesty confiding as well in the Marquis his Abilities, as trusting to his Fidelity, was resolved on the Choice, and did first communicate it to himself: he told His Majesty, *That Life and Fortune, and all he had, he would never stick to hazard for his Service; but this Employment was full of danger, the success of it was at least dubious, and he was very much a stranger to Scottish Men and Affairs; and he could not but foresee, how it should endanger his losing what next his Salvation he valued most, which was His Majesties Favour; however he was absolutely at His Majesties disposal.*

My Lord Lorn eldest Son to the Earl of Argyle, and after him Earl Traquair, and divers of the Nobility, came to Court at this time, who were also followed by some of the Clergy: The Covenanters made likewise a new Address to the Scottish Lords at Court, full of Complaints of the harsh usage they had met with from the Council, together with their Grievances; which Paper, with their Letter dated the 28<sup>th</sup> of April, is extant, Signed, *Roths, Cassils, and Montrose*, consisting of Eight Articles.

## ARTICLES

An. 1638.

## ARTICLES for the present Peace of the Kirk and and Kingdom of Scotland.

**I**F the Question were about such matters as did come within the compass of our own power, we would be ashamed to be importunate, and should be very easily satisfied without the smallest trouble to any; but considering that they are the matters of Gods honour, of the Kingdom of Christ, and the peace of our Souls, against the Mystery of Iniquity, which we clearly perceive to have been uncessantly working in this Land since the Reformation, to the ruine of true Religion in the end; it cannot stand with our duty to God, to our King, to our Selves and Posterity, to crave or be content with less, than that which the Word of God, and our Confession of Faith doth allow, and which may against our Fears establish Religion afterwards.

The discharging of the Service-Book, the Book of Canons, and of the late High Commission, may be a part of the satisfaction of our humble Supplications, and just Complaints, which therefore we still humbly desire; but that can neither be a perfect Cure of our present Evils, nor can it be a Preservative in time to come. I.

When it is considered what have been the Troubles and Fears of His Majesties most loyal Subjects from the High Commission, what is the nature and constitution of that Judicatory, how prejudicial it proves to the lawful Judicatories of the Kirk and Kingdom, how far it endangers the Consciences, Liberties, Estates and Persons of all the Lieges, and how easily, and far more contentedly all the Subjects may be kept in order, and obedience to His Majesties just Laws, without any terrour of that kind; we look that His Majesties Subjects, who have been used to obey according to the Laws, shall be altogether delivered from the High Commission, as from a yoke and burden, which they feel and fear to be more heavy than they shall be ever able to bear. II.

Remembring by what wayes the Articles of Perth were introduced, how strangely and with what opposition they were carried in the Assembly, upon what Narrative they were concluded, how the Ratification in Parliament was not desired by the Kirk, but earnestly supplicated and protested against, how they have been introductory of the Service-Book, whereof now they are become Members, and in their nature make way for Popery, (whatsoever hath been the intentions of the Urgers;) and withall, what Troubles and Divisions they have caused these twenty years in this Kirk and Kingdom, and what Jealousies between the Kings Majesty and His Subjects, without any Spiritual profit or edification at all; as we can see no reason why they should be urged by Authority, so can we not find, but we shall be more unable to digest them than in the beginning, when we had not as yet tasted, and known how bitter and unwholsome they were. III.

The Judgements of the best Divines of the Reformed Kirks, and of the most Pious and Learned of this Kirk since the Reformation, concerning the Civil Places and Offices of Kirkmen, and concerning the Vote of Ministers in Parliament, have been made known in divers general Assemblies, which moved the Assemblies of this Kirk, when they could not by their modest opposition prevail to limit the Ministers that were to Vote in Parliament, by any particular Cautions agreed upon at first, and ordained to be inserted in the IV.

Act



An. 1638. *Act of Parliament, and by other Cautions to be made afterward, as the Assembly should find meet and necessary: and therefore, if we will declare our minds, after lamentable experiences of the Evils which were then foreseen, feared, and foretold, we cannot see how Ministers voting in Parliament, absolutely without the limitation of these Cautions, can be thought fit to Vote in the name of the Kirk.*

V. We have no Grievance more universal, more ordinary, and more pressing, than that worthy men, who have Testimonies of their Learning from Universities, and are tried by the Presbyteries to be qualified for the Work of the Ministry, and for their Life and Gifts earnestly desired by the whole People, are notwithstanding rejected because they cannot be persuaded to Subscribe and Swear such unlawful Articles and Oaths, as have neither warrant of the Acts of the Kirk, nor Laws of the Kingdom, and others of less worth, and ready to Swear for base respects, unworthy to be mentioned, are obtruded upon the People, and admitted to the most eminent Places of the Kirk, and Schools of Divinity, which causes continual Complaints, makes the People run from their own Kirks, refuse to receive the Sacrament at the hands of the Ministers set over them against their hearts, or to render them that Honour which is due from the People to their Pastors, and is a mighty hindrance to the Gospel, to the Souls of the People, and to the Peace of the whole Kirk and Kingdom; all which might be easily helped, by giving place to the 114 Act of Parliament, 1592. declaring, That God hath given to the Spiritual Office-bearers of the Kirk Collation and Deprivation of Ministers, and ordaining that all Presentations to Benefices be directed to particular Presbyteries in all time coming, with full power to give Collation thereupon, they being the lawful Office-bearers of the Kirk, to whom God hath given that right; which therefore, never was nor can be taken from them, and so conferred upon others, at that they shall be quite secluded therefrom.

VI. The lawful and free National Assemblies of this Kirk, warranted by Divine Authority, ratified by Acts of Parliament, kept in other Reformed Kirks, and in this Kirk since the Reformation, and acknowledged by King James to be the most necessary means for preservation of Piety and Union, and for extermination of Heresie and Schism, (who willed therefore, that the Act of Parliament for convening the General Assemblies once in the year should stand in force;) if they were revived, and by His Majesties Authority appointed to be kept at the ordinary times, and if one at His Majesties first opportunity, and so soon as may be conveniently, should be indicted, Kirkmen might be tried in their Life, Office, or Benefice, and kept in order without trouble to His Majesty, and without offence to the People, the present Evils might be speedily helped, to His Majesties great honour and content, and to the preservation of the Peace of the Kirk, and these courses might be stopped afterwards: and on the contrary, while Kirkmen escape their due Censure, and matters of the Worship of God are imposed without the consent of the free Assemblies of the Kirk, they will ever be suspected to be unsound and corrupt, as shunning to be tried by the Light, to the continual entertaining of heart-burnings amongst the People, and to the hindrance of that chearfulness of obedience which is due, and from our Hearts we wish may be rendered to the Kings Majesty.

VII. If according to the Law of Nature and Nations, to the Custom of all other Kingdoms, and the laudable example of His Majesties worthy Progenitors, in the like cases of National Grievances, or of Commotions and Fears of a whole body of a Kingdom, His Majesty should be graciously pleased to call.

call a Parliament, for the timeous bearing and redressing of the just Grievances of the Subjects, for removing of their common Fears, and for renewing and establishing such Laws, as in time coming may prevent the one and the other, and may serve to the good of the Kirk and the Kingdom, that the Peace of both might be firmly settled, and mens minds now so awakened might be easily pacified; and all our Tongues and Pens are not able to represent, what would be the joyful Acclamations, and hearty Wishes of so loyal and loving a People, for His Majesties Happines, and how heartily bent all sorts would be found to bestow their Fortunes and Lives in His Majesties Service.

The more particular Notes of all things expedient for the well of the Kirk and Kingdom, for His Majesties honour and satisfaction, and for extinguishing of the present Combustion, may be given in to be considered in the Assembly and Parliament.

VIII.

Those Bishops who stayed in Scotland sent up also one Learmonth to the Archbishop of Saint Andrews then at London, with their Complaints and Grievances, which are also set down according to the Original.

## ARTICLES of Information to Mr. Andrew Learmonth, for my Lord Archbishop of Saint Andrews, the Bishop of Ross, &c. and in their absence, for my Lord Archbishop of Canterbury his Grace.

**Y**ou shall show their Lordships, How they have changed the Moderator of the Presbytery of Edinburgh, and are going on in changing all the Moderators in the Kingdom.

I.  
The Complaints of the Clergy.

How they have abused Doctor Ogstone the ninth of May in Edinburgh, Mr. George Hannay at Torphichen the sixth of May, Doctor Lamond at Markinch the ninth of May, Mr. Robert Edward at Kirkmichael, whom Kilkerrin is forced to entertain at his own House.

II.

That the Presbytery of Hadingtown have given Imposition of Hands to Mr. John Ker's Son, to be his Colleague, without the knowledge of the Bishop; and likewise the Presbytery of Kircaldy to Mr. John Gillespy's Son, to the Church of the Weemes; and the Presbytery of Dumfrice, to one Mr. John Wier, to the Church of Morton within two miles of Drumlanerick; and that they of Dumfermline have admitted Mr. Samuel Row (a Minister banished from Ireland) to be helper to Mr. Henry Mackgill; and they of Air Mr. Robert Blair, to be helper to Mr. William Annand; and that the Town of Dumfrice have made choice of Mr. James Hamilton to be their Minister; and the Town of Kirkudbright one Mr. John Macklennan, all of them banished from Ireland; and Mr. Samuel Rutherford is returned and settled in his Place; and they intend to depose Mr. John Trotter, Minister at Dirleuton; and how they intended to use the Regents.

III.

That the Council of Edinburgh have made choice of Mr. Alexander Henderfon to be helper to Mr. Andrew Ramsay, and intend to admit him without advice or consent of the Bishop.

IV.

That the Ministers of Edinburgh, who have not subscribed the Covenant,

V.

G

are

An. 1638. are daily reviled and cursed to their Faces, and their Stipends are withheld and not payed; and that all Ministers who have not subscribed are in the same case and condition with them.

V I. That they bound out rascally Commons on men who have not subscribed the Covenant, as Mr. Samuel Cockburn did one John Shaw at Leith.

V II. That His Majesty would be pleased by his Letters, to discharge the Bishop of Edinburgh to pay any Prebend-fee, to those who have subscribed the Covenant; as also by His Royal Letters to discharge the Lords of Session, to grant any Process against the Bishop for their Fees.

V III. That His Majesty would be pleased in the Articles of Agreement with the Nobility, to see honest men, who shall happen in this tumultuous time to be deposed from their Places, restored and settled in them, and others that are violently thrust in, removed; and that the wrongs done to them be repaired.

I X. That if it shall happen His Majesty to take any violent course for repressing these Tumults and Disorders, (which God forbid) that in that case their Lordships would be pleased to supplicate His Majesty, that some speedy course may be taken for securing of the persons of these honest men, who stand for God and His Majesty.

Signed,

Da. Edin.	Ja. Hannay.
Ja. Dumblanen.	Da. Michell.
Ja. Lismoren.	Da. Fletcher.

The King resolves to gain his Subjects by redressing their Grievances,

All these matters being considered, though there were grounds enough to have provoked a less Gracious Prince to have proceeded against the Covenanters by the extreme course of Rigour and Authority, and there were some who advised him to it; yet such was his innate love to that His Ancient and Native Kingdom, that he resolved to leave no mean unessayed, before he should proceed to a Rupture with them: He also well foresaw, that it would not prove so easie a Work, as some would have perswaded him, the greatest part on the South of Tay being confederate, and resolved to stand to their Defence at all hazards; neither was England too well fixed in their obedience, as the following Wars did sadly prove, and so there were small grounds to expect any heartiness from them for such a Work.

and calls the Bishops to his Closet.

All this being weighed, His Majesty called to His Closet the Archbishops of Canterbury and St. Andrews, and the Bishops of Galloway, Brechin, and Ross, the Marquis being there before they came, and to all these the King declared the choice he had made, and that he intended to send the Marquis to Scotland, with the Character of High Commissioner, for establishing the Peace of the Country, and the good of the Church. St. Andrews said, he approved the Choice, and hoped for good success. My Lord of Canterbury asked why His Majesty had called him; the King said, to be a Witness of what was done, and because he had been before acquainted with the proceedings of that business, he was also to be informed of what passed thereafter. Then the Marquis desired to know, what the Bishops expected he could doe; they answered, nothing but procure the Peace of the Country, and good of the Church: he desired they would contribute their assistance for reclaiming the Ministry,



Ministry, who were once conformable; and for the Ministers that were *An. 1638.* censured, but were now stirring, he should deal with them. They answered, their power was small at that time, and their danger great, and so inclined to stay still at *London*; but that was overruled, the Marquis undertaking, that so far as in him lay he should stand betwixt them and danger. The Archbishop of *Canterbury* said much and well on this head; so it was agreed that they should go home. Next, the King expressed, how necessary he conceived it was that every one of them should live in their own Diocese: *Canterbury* seconded this, and the Bishops acknowledged it was the best way. Much was said concerning General Assemblies, and that Ecclesiastical matters ought to have been introduced by them; and the Marquis was ordered to give assurance, that in all time coming nothing substantial should be introduced in the Church, but by them. Much debate passed about the Oath of admission of Ministers, and it was concluded, it should be no other than what was warranted by the Law; and the Bishops were required to be sparing and moderate for the present both in urging that, and the Ceremonies. All this His Majesty concluded with his wishes for good success, adding, that the Marquis had been so far from seeking this Employment, that he had commanded him much against his will to undertake the journey.

This was in the beginning of *May*, and upon the 7th of *May* Letters were directed to *Scotland*, giving notice of the Resolutions taken to the Nobility: the Marquis wrote also to all his Friends and Dependents to meet him at *Haddington* the 5th of *June*. The next thing that was taken into consideration was the drawing up of his Instructions.

A Commission in the ordinary form being first drawn, there were two Proclamations signed by the King, both which are extant, the one written with the Earl of *Traquair's* hand, the other by the Marquis; the first whereof follows.

#### CHARLES R.

CHARLES by the Grace of God King of Scotland, England, France The Proclamation sent by the Marquis. and Ireland, Defender of the Faith, to our Lovits, our Sheriffs in that part, conjunctly and severally, specially constitute, Greeting.

Forasmuch as We are not ignorant of the great Disorders which have happened of late within this Our ancient Kingdom of Scotland, occasioned (as is pretended) upon the introduction of the Service-book; Book of Canons, and High Commission, thereby fearing Innovations of Religion and Laws; for satisfaction of which Fears We well hoped, that the two Proclamations of the eleventh of December, and nineteenth of February, had been abundantly sufficient: nevertheless finding, that Disorders have daily so increased, that a powerful rather than a persuasive way might have been justly expected from Us; yet We, out of Our innate Indulgence to Our People, grieving to see them run themselves so headlong into Ruine, are graciously pleased to try if by a fair way We can reclaim them from their faults, rather than let them perish in the same. And therefore once for all, We have thought fit to declare, and hereby to assure all Our good People, that We neither are, were, nor (by the Grace of God) ever shall be stained with Popish Superstition; but by the contrary are resolved to maintain the true Protestant Christian Religion, already professed within this Our ancient Kingdom. And for further clearing

*An. 1638.* clearing of Scruples, We do hereby assure all men that We will neither now nor hereafter press the practice of the aforesaid Canons and Service-book, or any thing of that nature, but in such a fair and legal way as shall satisfy all Our loving Subjects, that We neither intend Innovation in Religion or Laws; and for the High Commission, We shall so rectifie it, with the help of advice of Our Privy Council, that it shall never impugn the Laws, nor be a just Grievance to Our Loyal Subjects. And as hereby it may appear how careful We are to satisfy the foresaid Fears (how needless soever) of Our good Subjects[\*]. So We do hold Our Selves obliged both in Conscience and Honour, to hinder the course of that which may prejudice that Royal Authority, which God has endued Us with; wherefore, understanding that many of Our Subjects have run themselves into seditious and undutiful courses, and willing to reduce them rather by a benign, than forcible mean, (because We hope that most of them are drawn thereto, blindly out of fear of Innovations) are content hereby to declare, and promise upon the Word of a King to pardon what is past, and not to take notice of the by-gone faults, no not so much as of those factious and seditious Bonds, upon condition that they seek to Our Mercy by disclaiming the same, and in testification of the true sense of their Misdemeanors, that they deliver up, or continue with their best endeavours to procure the delivering up, of the said Bonds into the hands of Our Council, or such as Our Council shall appoint: Declaring always, likeas We by these presents do declare, all these to be esteemed and reputed as Traitors in all time coming, that shall not renounce and disclaim the said Bond or Bonds, within after the publication hereof; that is to say, Whosoever will from henceforth be thought a good Subject, and capable of Our Mercy, must either deliver up the same, in case he have it, or concur with his best endeavours to the delivering up thereof, or at least must come to some of Our Privy Council, or chief Officers in Burgh or Land, and testify to him, that he renounces and disclaims the said Bonds. Our Will is therefore, and We charge you straitly and command, that incontinent this Our Letter seen, &c.

C. R.

The other Proclamation penned by the Marquis agrees with the former to the place that is marked [\*]; after which it follows thus.

Another Proclamation.

So We expect that their behaviour will be such, as may give testimony of their Obedience, and how sensible they are of Our Grace and Favour, that thus pass over their Misdemeanours, and by their future carriage make appear, it was only the fear of Innovations that caused those Disorders that have happened of late in this Our Kingdom, which now cannot but by this Our Declaration be removed from the hearts of Our loving Subjects: but on the contrary, if we find not this performed with that chearfulness and alacrity that becomes good and obedient Subjects, We declare and hold Our Self obliged in Honour and Conscience, to make use of those forcible means which God hath armed Royal Authority with, for the curbing of disobedient and stubborn People. Our Will therefore is, and we charge you, &c.

C. R.

And

And by another Paper His Majesty left it to the Marquis his choice, *An. 1638.* whether of the two he should make use of, as he found it might tend to His Service; but withall, if he made use of the second, and it gave no satisfaction, so that within 6 Weeks, most of the Bonds were not delivered up, upon his desiring them to doe so, then he should publish another Proclamation, *Declaring the Covenanters Traitors if within 5 days they came not to accept of Mercy, and deliver up the Bonds, if they were in their power.*

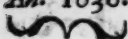
And so a third Declaration penned by the Chancellour was laid aside, onely it is extant, marked by the Kings Hand on the back, and therefore shall be set down here.

**W**Hereas we were in hope by Our late Proclamations to have given satisfaction to Our People, and to have removed their Mistakings of the Book of Common-prayer, which We caused to be published, having thereby declared, that it never entred into Our thoughts to make any Innovation in Religion and Form of Gods Worship, nay, not to press the said Books upon any of Our Subjects, till by a fair way they were induced to approve the same; yet having understood, that to the contrary (by what means We know not) occasions have been taken to confirm them in their former Mistakings, and to bind them by Oaths and Subscriptions against the Laws established by Our dear Father of blessed memory, and ratified by Our Selves since Our coming to the Crown: howsoever there is in that more than just cause offered to take punishment of such an open Contempt and Rebellion, yet considering that this is not the fault of the simple sort and multitude of People, who have been seduced through specious pretexts, as if nothing were contained in the said Bond or Covenant, as they call it, but the promoting of Gods Glory, the maintaining of Our Honour, and Liberty of the Country, with the preserving of Unity among themselves, We no way willing to use Our People with rigour, or to enquire severely into their errors of that kind, have thought meet to renew Our former Declaration, by assuring them, and every one of them, that Our constant Resolution is, and hath been, to maintain the true Religion professed and established by the Laws of that Our Kingdom, without any Change or Innovation, at the hazard of Our Life and Crown, and that We will not force on Our Subjects either the said Book of Common-prayer, or Book of Canons, till the same be duly examined, and they in their Judgments satisfied with the legality thereof; nor will We permit the exercise of any Commission upon them, for whatsoever cause, which may give unto them any just cause of Grief and Complaint. Willing therefore and requiring all Our People and Subjects to acquiesce to this Our Declaration, and not suffer themselves to be misled by the private or publick Informations of turbulent spirits, as if We did intend any thing contrary to this Our Profession, having always esteemed it a special point of Royal Dignity, to profess what We intend to doe, and to perform what We do promise; certifying all Our good Subjects, who shall hereupon rest quiet in the obedience of God and Us, that We will faithfully perform whatsoever We have declared, whether in this or in Our former Proclamations made to that purpose, and be unto them a good and merciful King: as on the other side, if any shall hereafter make business, and disturb the Peace of that Church and Kingdom, by following their private Covenants, and refusing to be ruled by the Laws established, that We will use the Force and Power, which God hath put into Our hands, for compeeing and subduing such mutinous and disobedient Rebels. Given at Our Palace of

This



An. 1638.



This is marked by the Kings Hand;

*Declaration made by the Chancellour.*

Thus that wise Prelat foresaw well, how it would be easier to effectuate all that had been designed, than to get that alone of disclaiming the Covenant brought about; and therefore left that out in his draught of the Declaration. But the King was peremptory, saying,

*That as long as that Covenant was not passed from, He had no more Power than the Duke of Venice.*

For the Commissioners Instructions the Chancellour gave his Advice in writing, which was very closely followed. After that many particular Questions were given in by the Marquis in writing, for Orders how to carry himself whatever might meet him in his Negotiation; to which he got positive Answers in writing from the King, which are extant: and though the Material points in that Paper be to be found in the Instructions, yet this seems too considerable to be suppressed; and therefore it is set down in the very Form wherein it is in the Original, the Queries being written by the Marquis, and the Answers over against them by the King.

QUERIES whereunto Your MAJESTIES Direction and Resolution is humbly prayed, that accordingly I may govern my self, and be warranted for my Proceedings.

1. IF before the publishing of the Declaration some of the chiefeſt of the Petitioners may not be prepared, and laboured to conceive aright of the same, and in general acquainted with Your Majesties gracious Intentions?

They may.

2. Where the first meeting of the Council shall be?

Where you shall find most convenient, the City of Edinburgh only excepted.

3. If Your Majesty will not permit the Council to sit, where, and in such places as is conceived, may tend most for the advancement of Your Service?

Yes.

4. If

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4. If the Declaration shall not be read to the Council, and they required to sign the same?

By all means.

5. If we shall not all swear to give our best assistance for the putting the same in due execution?

Yes.

6. If any Councillour refuse to doe it, what course shall be taken with him?

Dismiss him the Council.

7. If Acts of Council are not to be made, finding that this Declaration ought to free us of the fears of Innovations either of Religion or Laws?

Yes.

8. If all Councillours are not to be warned to give their attendance till the business be settled?

9. If upon the publication of this Declaration there be Protestations made, what course shall be taken?

The Protesters must be proclaimed Rebels.

10. If no Protestations but Petitions of new be presented, either demanding further satisfaction, or adhering to their former, what Answer shall be made, or what course taken?

Ut *supra*.

11. If they remain still in a Body at Edinburgh or elsewhere, after the Declaration, what course shall be taken?

You must raise what Force you may to treat them as Rebels.

12. If they should petition against the High Commission itself, as not to be introduced without an Act of Parliament, what Answer shall be given?

That they must be content with My Declaration in that point.

13. If against the matter contained therein, it is then desired that those particulars may be expressed that will not be yielded to.

The settling thereof according to My Declaration will answer this.

14. If it be pressed that what is now concluded, concerning the High Commission be ratified in the next Parliament, what Answer shall be given?

If I may be sure that a Parliament will doe it, I shall be content.

15. If

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15. If they Petition for a Convention, what Answer shall be given?

No Petition must be admitted till the Bond be broken; if after, you may grant it, leaving the time to Me.

16. If they petition for a General Assembly, that it may be once in the year, what Answer shall be given?

I will not be tied, but as I shall find cause.

17. If they petition that the Ministers Oath may be no other than that which the Act of Parliament doth order them to take, what Answer shall be given?

I and the Bishops will consider of it.

18. If they petition that the Five Articles of Perth may be held as indifferent, what Answer shall be given?

I will hear of no Petition against an Act of Parliament.

19. If the Town of Edinburgh may not be dealt with apart to petition for Your Majesties Favour, and if they desire that the Council, Exchequer, and Session may be returned them, what Answer shall be given?

Upon their full submission, and renouncing of the Bond, they may have their desires.

20. If the like course may not be taken with some other principal Burghs?

As before.

21. If to gain some leading men from the Party, marks of Your Majesties Favour may not be hoped for?

To some, I; to some, No.

22. If particular men desire either Acts of Council, or Pardons under the Great Seal, what shall be done?

Grant their desires.

23. What Service shall be used in the Chappel Royal?

The English.

24. If the Lords of Council and Session, shall at that time be pressed to receive Kneeling?

This is no time for a Communion, but when there is they must kneel.

25. If thought fit, what shall be done to them that refuse?

Advise of it.

26. How



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26. If all Acts of Council, that have enjoined the use of the Service-Book, Book of Canons, are not to be suspended, and declared of no force in time coming?

Yes.

27. How far Your Majesty will warrant me to declare Your Pleasure to the Lords of the Clergy, concerning their living within their Diocesses?

I shall do it My Self, but you may tell any of it.

28. How far I may declare Your willingness to give ear to and receive the private Complaints of Your Subjects in general, and in particular against any of the Bishops?

Refuse none.

29. If those Ministers (who have been by the Multitude displaced) are not again to be established?

They must.

30. If in the Abbey-Church the use of the Organs shall be presently enjoined?

Yes.

31. If those Ministers formerly silenced may not for a time be connived at, and permitted to preach?

If they preach not Sedition.

32. If Your Majesty aim at more for the present, than establishing the Peace of the Country?

No more for the present.

33. If more, it is humbly desired, Your Majesty may be pleased to express it?

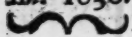
When time shall be fit.

In execution of all which, or what else Your Majesty shall think fit to command, it is most humbly desired, that I may be so warranted, that the labouring to put them in execution may not turn to my Ruine, nor hazard the losing of Your Majesties Favour, dearer to me than life?

You shall.

The whole Instructions were signed the 16<sup>th</sup> of May, which follow taken from the Original.

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CHARLES R.

- I. **B**Efore you publish the Declaration which We have signed, you shall require all the Council to sign it, and if you find that it may conduce to Our Service, you shall make all the Council swear to give their best assistance in the execution of the same : but this of putting them to their Oaths, We leave to your discretion, to doe as you shall find occasion ; but if you shall find it fit to put them to their Oaths, those that refuse must be dismissed the Council till Our further Pleasure be known.
- II. We give you power to cause the Council to sit in what soever place you shall find most convenient for Our Service, Edinburgh onely excepted, And to change the Meeting thereof as often as occasion shall require.
- III. You may labour to prepare any of the refractory persons to conceive aright of Our Declaration before it be published, so that it be privately and underhand.
- IV. You are to get an Act of Council to pass, to declare, that this Declaration of Ours ought to free all honest Subjects from the fears of Innovations of Religion or Laws : but this you are not to propose publicly except you be sure to carry it.
- V. If any Protestation be made against Our Declaration, the Protesters must be reputed Rebels, and you are to labour to apprehend the chiefest of them.
- VI. If Petitions be presented to demand further satisfaction than that We have already given by Our Declaration, you are to receive them, and to give them a bold Negative, both in respect of the Matter and the Form, as being presented from a Body which you are no ways to acknowledge.
- VII. If it should be objected against the High Commission, that it ought not to be introduced but by Act of Parliament : your Answer must be, that We found it left Us by Our Father, and therefore We mean to continue it, having first regulated it in such a way, that it shall be no just Grievance to Our Subjects, or against Our Laws ; and when there is a Parliament, We shall be content that it be ratified as We shall now rectifie it.
- VIII. If after the limited time in Our Declaration a Body remain at Edinburgh, or elsewhere, you must raise what Force you can to dissipate, and bring them under Our Obedience.
- IX. As soon as the Peace of the Country will permit, you are to call a General Assembly for settling of a constant and decent way for Gods Worship ; We having resolved to call them, or to permit them to be as often as occasion shall require ; We likewise intending to have a Parliament, to ratifie what shall be condescended on at the Assembly.
- X. You may say, the Bishops shall impose no other Oath upon Ministers at their Admission, but what is warranted by Act of Parliament.
- XI. You are to give direction that the same Service be used in Our Chapel Royal, that was before the enjoyning of the Service-book.
- XII. You must admit of no Petition against the 5 Articles of Perth, but for the present you are not to press the exact execution of them.
- XIII. Whenever the Town of Edinburgh shall depart from the Covenant, and petition for Our Favour, We will that you bring back the Council and Session to it.
- XIV. You shall deny no Pardons nor Acts of Council to any particular persons that shall desire the same for their security.
- XV. Some marks of Favour We may be moved to give to particular persons that may deserve the same.

All

All Acts of Council that enjoin the use of the new Service-book are to be suspended, and to be of no force hereafter. *An. 1638.*

You shall declare Our pleasure to Our two Archbishops, (as soon as the Country is any way settled) that it is Our Pleasure, that every Bishop shall live within his own Diocese, except upon his own urgent occasions; or that he be commanded from Us, or the Council, to attend there for Our Service, which I intend as seldom as may be. *XVI. XVII.*

You shall refuse Complaints against no man in particular, whether Officers of State, Councillours, or Bishops, so that it be against their Persons and not their Places. *XVIII.*

All those Ministers who have been displaced by the seditious Multitude, are to be (so soon as conveniently may be) repossessed again as they were. *XIX.*

As for silenced Ministers, you may connive at their Preaching, if you find it may tend to the quieting of the Country. *XX.*

For the Organs in the Abby-Church, We leave them to your discretion when to be used, and to advertise Me of your opinion. *XXI.*

You are to cause insert 6 Weeks in Our Declaration for the delivery up of the Covenant, and if you find cause, less. *XXII.*

You shall declare, that if there be not sufficient Strength within the Kingdom to force the refractory to Obedience, Power shall come from England, and that My Self will come in Person with them, being resolved to hazard My Life rather than to suffer Authority to be contemned. *XXIII.*

If you shall find cause, you are to raise a Guard of 200 or more to attend Our Council. *XXIV.*

You may treat with the Earl of Marr for the keeping of Our Castles of Edinburgh and Sterlin, and for the present he must be charged with their safe Custody. *XXV.*

You shall take seriously into consideration the Copper-coyn, and declare Our willingness to remedy the Evils that have risen thereby; or what else the Subjects may justly complain of. *XXVI.*

You may declare, that as We never intended to assume the Nominating the Provost of Our Town of Edinburgh, so We mean not by Our too frequent Letters to hinder the free Election of their own Officers. *XXVII.*

You may likewise declare, (if you find cause) that as We never did, so by Gods Grace We never will stop the course of Justice by any private directions of Ours; but will leave Our Lords of Session, and other Judges, to administer Justice as they will be answerable to God and Us. *XXVIII.*

If you cannot by the means prescribed by Us bring back the refractory and seditious to due Obedience, We do not onely give you Authority, but command all hostile Acts whatsoever to be used against them, they having deserved to be used no other way by Us, but as a Rebellious People; for the doing whereof We will not onely save you harmless, but account it as acceptable Service done Us.

Such of these Instructions, as you shall find cause, We give you leave to divulge and make use of as you find Our Service shall require.

At Whitehall the  
16th May, 1638.

C. R.

All things being thus expedited, he took leave a few days after, His Majesty having ordered him to write often to himself, and to my Lord of Canterbury, he being the onely English person trusted with the secrets of that business. The Earl of Sterlin was then Secretary of State for

The Marquis goes for Scotland,



An. 1638. *Scotland*; but as the Copper-coyn made him at that time odious there, so he was little esteemed in the Court, and not at all imployed in Affairs, except in matters of course. Sir *Henry Vane* and the Marquis had contracted a Friendship in the *Swedish* Camp, and so did keep a Correspondence; yet that was most about accounts of the posture the King was in in *England*, and what he could do by Force if Treaty could not prevail. But with my Lord of *Canterbury* he kept a constant and free Intercourse; and whatever that Archbishop might have been formerly in *Scottish* Affairs, being abused by persons who did not truly represent them to him, he was certainly a good Instrument this year, which appears from his Letters to the Marquis, with the Copies of his Returns, which are extant.

where there  
were great  
Jealousies of  
him.

My Lord Commissioner begun his Journey about the end of *May*, and on his way he met Letters from *Scotland*, telling him that great Jealousies were raised and vented upon his advertising so many to meet him, as if he had some strange design; and that his Vassals in *Cliddisdale* were under high pains discharged, to come and pay the duty they owed the Kings Commissioner and their own Superiour. On the third of *June* he came to *Berwick*, and there the Earl of *Roxburgh* met him, who told him in what fury all People were, and how small hopes there remained of prevailing upon the grounds he was to go on; he answered he was resolved to follow his Instructions, and be at his hazard. Next day the Earl of *Lauderdale*, with my Lord *Lindsay*, came to him; and from the later he learned, that they would never give up the Covenant, that they would have the five Articles of *Perth* abolished, Episcopacy limited, so that it should be little more than a Name: and if these things were not granted them, and a General Assembly and Parliament not called quickly, they would call them themselves, before the great Crouds at *Edinburgh* were scattered.

There was also no small Disorder in *Edinburgh* at this time, for they had notice that there was a Ship in the Road loaded with Arms and Ammunition; from which they took the Alarm, having it represented much beyond the truth, 200 Musquets and as many Pikes, with a small quantity of Powder, being all the Arms that were in the Ship. They resolved to go out the next day, and seize the Ship, which had been easily done, it being onely a Merchant-Vessel; but the Earl of *Traquair* apprehending the hazard, caused all the Arms to be sent down in a Boat that night to *Fisher-ram*, and got Carts, and presently transported them to *Dalkeith*, which was then the Kings House. This enraged the Covenanters, when known by them next day; and some of the more forward moved that they should presently go to *Dalkeith*, and take them out by force; but the wiser of them stopped this: yet they set sure Guards around the Castle of *Edinburgh*, and at all the Ports of the City, that none of them might be carried thither. This meeting with the Marquis his coming down, was made use of by the Incendiaries to persuade the People, that he designed mischief by these Arms; and by the Advertisements he had formerly given: another hellish report was also spread, that he designed to call a Meeting of the chief Covenanters of all Ranks to *Dalkeith*, and there to blow them up; whereupon they resolved not to go out, nor treat with him there at all. All this was done to irritate the People into a prejudice against him, of which he gave Advertisements to the King, and held on his Journey.

The

The first thing he did was to inform himself exactly of all Matters and Persons, that he might accordingly apply himself to his business; but he found things in a greater disorder than he could have imagined. Almost the whole Council did favour the Covenant, and the Bishops were hated by all, so that there were few or none whom he durst trust: the Earls of *Traquair*, *Roxburgh*, and *Southesk*, were the men he found best affected, yet even their Limitations vexed him.

An. 1638.

He finds the Country in a very ill posture.

My Lord *Lorn*, who about the end of the year by his Fathers death was Earl of *Argyle*, seemed to go on with the Kings Service; but he was suspected both by the King and the Marquis to favour the Covenant. In a word, those of the Council who were best set were yet overawed by the fury and threats of the other Party. The Marquis of *Huntley* was forward in His Majesties Service, but the Marquis was obliged to send him North, to keep that Country (which was yet peaceable) in order. Many Lawyers were of the Covenanters side, and chiefly the Kings Advocate *Sir Tho. Hope*, which was one of the greatest troubles the Marquis met with; for he being a stranger to the *Scottish* Law, (in which the other was skilled as much as ever any was) was often at a great loss; for he durst advise with him in nothing, and often the Kings Advocate alledged Law at the Council-Board against what he was pressing. Of this he complained frequently to the King, and intended to have discharged him the Council; but he durst scarce adventure on it, lest others should have removed with him. He tried what he could doe to get some Lawyers to declare the Covenant to be against Law; but that was not to be done. *Sir Lewis Stewart* promised private assistance, but said, that if he appeared in publick in that matter, he was ruined. *Sir Thomas Nicolson*, who was the only man fit to be set up against the Kings Advocate, though he had never all his life before pretended to a nicety in these matters, yet began now to alledge Scruples of Conscience.

Next to this the Marquis dealt with the Covenanters, who were chiefly the Earls of *Roths*, *Cassils*, *Montrose*, *Lowdon*, *Lothian*, my Lords of *Lindsay*, *Yester*, *Balmerino*, and *Cranston*; these were the chief Contrivers and Actors, though they had many followers and abettors of all Qualities. With these he dealt by all means possible; but neither could Reason convince them, nor Assurance satisfy them, nor Promises or Cajolery prevail with them, nor Threats overrule them.

He quickly saw that nothing could be obtained from the Covenanters by way of Treaty; and therefore before he left *Berwick*, he advertised the King to prepare himself for teaching them their Duty by Authority, since milder ways were like to prove ineffectual. He also found the Country very destitute of Arms, and that the Covenanters were beginning to give order for furnishing themselves from several places; of which he also advertised the King, desiring him to send in all haste Expresses to his Agents in *Holland*, *Hamburg*, *Denmark*, *Sweden*, and *Poland*, to stop any Arms might be bought up by *Scottish* men.

He puts the King on his guard to look for mischief from the Covenanters,

At first when the Marquis came to *Dalkeith*, he heard that 1500 men were set to guard the Ports of *Edinburgh*, and that they of the *Tables* had taken the Keys of the City from the Magistrates, and had some thoughts of securing the Castle of *Edinburgh*; which had been easily done if attempted, there being neither Arms nor Ammunition within it. But the wiser of them thought it fitter onely to set Guards about it, by which it was rendred useless, rather than make so hasty a Rupture; and

who fortifie themselves and are insolent.

the



An. 1638. the more violent threatned they would force both Commissioner, Council, and Session, to take the Covenant. All this the Marquis heard, but he might well regrave it, but had no power to curb it; for they were resolved to hear of no Proclamation, unless with the discharge of the Service-book and Book of Canons; the Articles of *Perth* were also promised to be abrogated, Episcopacy promised to be limited, and an Assembly and Parliament presently called. But his Instructions being so far short of this, he durst not adventure on publishing His Majesties Declaration, knowing it would meet with a Protestation; and as for that part of it which concerned the Covenant, my Lords of *Traquair* and *Roxburgh* told him, he was the ruine of the Country if he did not divide the Declaration, and wholly leave out what concerned the Covenant: this he said he would yield to, and put his Head in the Kings Mercy, if they could assure him that thereby matters might be settled.

The Marquis gives a clear representation of the state of Affairs.

Of all this he advertised the King, and told him he must resolve either to yield to all they demanded, or haste down his Fleet quickly with 2000 Land-souldiers in it, and send down Arms to the Northern Counties of *England*; advising him also to send Souldiers for Garrisoning of *Berwick* and *Carlisle*, 1500 for *Berwick*, and 500 for *Carlisle*; and that His Majesty would resolve to follow these Orders in Person with a Royal Army, and there was no doubt of Victory, if the matter were well managed: but he represented withall, that His Majesty would consider how far in His Wisdom He would connive at the madness of His own poor People, or how far in His Justice He would punish their folly; assuring Him their present madness was such, that nothing but Force would make them quit their Covenant, and that they would all lay down their Lives ere they would give it up.

He goes to *Edinburgh*,

But that which he applied himself first to, was the dispersing of the Multitudes. After he held a Council at *Dalkeith*, where His Commission was onely read and registred, he received Addresses from the Town of *Edinburgh*, humbly inviting him to come to *Holyroodhouse*, which he refused, unless the extraordinary Guards about their Ports and the Castle were dismissed. But this being done, he went thither on the ninth of *June*: they were guessed to be about 60000 that met him, the greatest number that Nation had seen together of a great while, among whom there were about 500 Ministers, and four of the most zealous had resolved to entertain him with Speeches: but this he shunned not without great difficulty, so earnest were they to be disburdened of their Harangues; but they came to him in private, and with great vehemency, not without tears in their eyes, represented the danger Religion was in, but kept themselves within bounds.

and mollifies some of the Covenanters.

And now he came to have access to their ears, and this was followed by that which always attended the engaging sweetness of his Converse, for he began to gain ground on their affections: he shewed them how firm the King was to the Protestant Religion, and how ready to hazard Life and Crown in the defence of it; that if any error had been committed in the way of introducing the late Books, His Majesty did more than correct that by His gracious Condescensions; that he was resolved (as soon as the Country was settled) to call both an Assembly and Parliament, if they themselves obstructed it not: but withall he represented to them the madness of hazarding on a Rupture with the King: they

knew



knew it would not be uneasie to engage *England* against them, the Kings *Ar. 1628.* Navy was in good case, and it would be no trouble to the King to destroy their Trade, which would quickly impoverish the Country; therefore he desired they would follow such courses, as might redeem themselves and their Country from Ruine and Infamy. This prevailed with divers, and all acknowledged there was that strength of reason in his Discourse, that it was not easie to resist him long and see him much; but there were rough and wild Spirits, who could neither be tamed nor tuned right by it; yet the Multitudes began to disperse: but the Covenant was so dear to them that it was the endangering of all, to speak of delivering it up. On the 15th of *June* he received the following Answer from His Majesty to the Accounts he had sent him.

Hamilton,

**T**Hough I answered not yours of the fourth, yet I assure you that I have not been idle, so that I hope by the next week I shall send you some good assurance of the advancing of our Preparations. This say not to make you precipitate any thing, (for I like of all you have hitherto done, and even of that which I find you mind to doe;) but to shew you that I mean to stick to my Grounds, and that I expect not any thing can reduce that People to their Obedience, but onely Force. I thank you for the clearness of your Advertisements, of all which none troubles me so much, as (that in a manner) they have possessed themselves of the Castle of *Edinburgh*; and likewise I hold *Sterlin* as good as lost. As for the dividing of my Declaration, I find it most fit (in that way you have resolved it;) to which I shall adde, that I am content to forbear the latter part thereof, until you hear my Fleet hath set sail for *Scotland*. In the mean time your care must be how to dissolve the Multitude, and (if it be possible) to possess your self of my Castles of *Edinburgh* and *Sterlin*, (which I do not expect.) And to this end I give you leave to flatter them with what hopes you please, so you engage not me against my Grounds, (and in particular that you consent neither to the calling of Parliament nor General Assembly, untill the Covenant be disavowed and given up;) your chief end being now to win time, that they may not commit publick Follies untill I be ready to suppress them: and since it is (as you well observe) my own People, which by this means will be for a time ruined, so that the loss must be inevitably mine; and this if I could eschew, (were it not with a greater) were well. But when I consider, that not onely now my Crown, but my Reputation for ever, lies at stake, I must rather suffer the first, that Time will help, than this last, which is irreparable. This I have written to no other end, than to shew you I will rather die than yield to those impertinent  
and

*An. 1638. and damnable Demands, (as you rightly call them ;) for it is all one as to yield to be no King in a very short time. So wishing you better success than I can expect, I rest*

Greenwich,  
[ 11 June, 1638.

Your assured constant Friend,

CHARLES R.

#### POSTSCRIPT.

*As the Affairs are now, I do not expect that you should declare the Adherers to the Covenant Traitors, until (as I have already said) you have heard from me that my Fleet hath set Sail for Scotland, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your Grounds.*

He delays to  
publish the  
Proclamation  
to avoid an  
affront.

But he had taken his Resolution about this set down in the Postscript before he got the Kings Answer; for he wrote to the Archbishop of *Canterbury* that he was resolved on it, finding the hazard on the one side was a present Rupture, which would have been the ruine of the Kings Affairs, and of all his Friends; whereas the hazard of not doing it was onely the cutting off his Head for transgressing his Instructions, which he was willing not onely to endanger, but lose for the Kings Service. But till the Multitudes were wholly dispersed, he durst not hazard on the the publishing of the Proclamation, lest Authority might have met with an affront in it. This was now doing apace, Commissioners onely staying in name of the rest; but all the Ministers hearing that the Covenant must be given up, or no Treaty, made their Pulpits ring with it; and the Marquis was to purpose inveighed against, some not sparing to say that the faggots in Hell were prepared for his reward: but all declared, they would never quit their Covenant, but with their Lives. A Protestation was also resolved on, whenever the Declaration should be published, which made it be delayed a little longer; and it was told him by the Kings Advocate, that a Protestation might be legally made, and that it had been done so in the year 1621. But for all this things begun to promise some likelihood of Settlement, which made him write to the King, not to proceed in his warlike Preparations till things were more desperate; to which he received the following Answer.

Hamilton,

**T***He dealing with Multitudes makes diversity of Advertisement no way strange, and certainly the alteration from worse to less ill cannot be displeasing: wherefore you may be confident, I cannot but approve your Proceedings hitherto, for certainly you have gained a very considerable point, in making the heady Multitude begin to disperse,*

disperse, without having engaged me in any unfitting thing. *I An. 1638.*  
 I shall take your advice in staying the publick Preparations for Force;  
 but in a silent way (by your leave) I will not leave to prepare, that  
 I may be ready upon the least advertisement. Now I hope there  
 may be a possibility of securing my Castles, but I confess it must be  
 done closely and cunningly. One of the chief things you are to labour  
 now, is to get a considerable number of Sessioners and Advocates, to  
 give their opinion that the Covenant is at least against Law, if not  
 treasonable. Thus you have my Approbation in several shapes, there-  
 fore you need not doubt but that I am

Theobalds,  
 13 Jun. 1638.

Your assured constant Friend,

CHARLES R.

At this time the Session sate not, for the Town and Country about  
*Sterlin* threatned them, so that they could not return thither; where-  
 fore the Marquis desired a Warrant from the King to bring the Session  
 back to *Edinburgh*, both because it was not fit they should be too far  
 from himself and the Council, as also that many of the Covenanters were  
 broken in their Estates, so that if Justice were patent some of the most  
 troublesom of them might be driven away: but chiefly the settling them  
 again in *Edinburgh*, looked like a resolution of going on with a Treaty,  
 of which it was fit they should be persuaded, till the King were in a  
 good posture for reducing them. He tried what assurance he might  
 have of the Lords of the Session being fixed to their Duty. Divers of  
 them, who were no ill-wishers to the Kings Authority, yet durst not  
 own it, being threatned by the Covenanters; of some he had all reason  
 to hope well, yet the greater part of that Court, what through fear, what  
 through inclination, was so biased, that he saw little hope of prevailing  
 with the Colledge of Justice, whether Judges or Lawyers, to declare  
 the Covenant seditious or treasonable; and he was secure of none who  
 sate on the Bench, save Sir Robert Spottiswood President, Sir John Hay  
 Clerk-Register, and Sir Andrew Fletcher of Innerpeffer, Halyburton of Fo-  
 therance, and one or two more: the first of these was among the most  
 accomplished of his Nation, equally singular for his Ability and Integri-  
 ty; but he was the Archbishop of *S. Andrews* his Son, and so his Decision  
 in that would have been of the less weight.

He advises the  
 King to bring  
 back the Sessi-  
 on to *Edin-  
 burgh*.

On the 16th of June the Covenanters came and presented their Peti-  
 tions to the Marquis, craving a present redress of their Grievances, other-  
 wise they said they would be put off no longer by delays; and they  
 desired he would propose the matter to the Council, and give them a  
 speedy Answer. He told them that His Majesty did resolve to call both  
 an Assembly and Parliament for the redress of all Grievances; but if this  
 was not yet done, they had nothing but the Disorders of the Country  
 to blame for it, which should be no sooner composed but all their De-  
 sires should be fully examined. They went away no way satisfied with  
 this Answer; but the Marquis found all the Lords of Council inclined  
 to the granting of what they demanded, so that he durst call no Council

The Covenan-  
 ters press speed-  
 y satisfacti-  
 on.



An. 1638.

Many move  
that an Expla-  
nation of the  
Covenant  
might be re-  
ceived.

about it, lest they should have avowedly sided with the Covenanters : of which he advertised His Majesty, shewing him, that persons of all ranks pressed him, to represent to him that the Covenant was not illegal, and that if His Majesty would allow of the Explication of the Bond of mutual Defence, which they offered, (that they meant not thereby to derogate any thing from the Kings Authority, for whom they were ready to hazard their Lives,) all might be settled without more trouble, either to the King or Country ; and that otherwise it must needs end in Blood. He desired His Majesty would consider well in what forwardness his Preparations were, before he hazarded on a Rupture ; lest if they had the start of him, all his faithful Servants in *Scotland* should be ruined ere he could come to their rescue. *England* wanted not its own Discontents, and they in *Scotland* seemed confident that they had many good Friends there ; *France* had not forgot the Isle of *Rhea*, and had certainly a hand in cherishing those Broils in *Scotland*. He also added, the Covenanters resolution was upon the first Rupture to march into *England*, and make that the seat of the War. Upon all this he craved His Majesties Pleasure, which he would punctually obey ; and ended, begging pardon for the fair hopes he had given him in his last, protesting, that his desire of seeing Royal Authority again settled, without a bloody Decision (for which he was gladly willing to sacrifice his Life) made him too easie sometimes to believe what he so earnestly desired.

Thus I give the most material Heads of the Marquis his Dispatches to His Majesty ; for though the Originals of them be in my hands, yet they are not inserted, both because of their being too long and too particular for publick view ; as also that the substance of them may be seen in the Kings Answers, which for many reasons are set down at their full length. But to this I shall adde a surprising thing, that I find the Archbishop of *S. Andrews* was for accepting an Explanation of the Covenant, for a draught of it yet remains under his Pen, which follows.

The Arch-  
bishop of *S. An-  
drews* his  
draught of an  
Explanation.

**W**E the Noblemen, Barons, Burgessees, Ministers, and others, that have joyned in a late Bond or Covenant for the maintaining of true Religion and purity of Gods Worship in this Kingdom, having understood that Our Sovereign Lord the Kings Majesty is with this our doing highly offended, as if we thereby had usurped His Majesties Authority, and shaken off all Obedience to His Majesty and to His Laws ; for clearing our selves of that Imputation do hereby declare, and in the presence of God Almighty solemnly protest, that it did never so much as enter into our thoughts, to derogate any thing from His Majesties Power and Authority Royal, or to disobey and rebell against His Majesties Laws, and that all our Proceedings hitherto by Petitioning, Protesting, Covenanting, and whatsoever other way, was and is onely for the maintaining of true Religion by us professed, and with expresse reservation of our Obedience to His most Sacred Majesty ; most humbly beseeching His Majesty so to esteem and accept of us, that he will be graciously pleased to call a National Assembly and Parliament, for removing the Fears we have not without cause (as we think) conceived of introducing in this Church another form of Worship than what we have been accustomed with, as likewise for satisfying our just Grievances, and the settling of a constant and solid Order to be kept in all time coming, as well in the Civil and Ecclesiastical Government : which

which if we shall by the intercession of Your Grace obtain, we faithfully promise (according to our bounden duties) to continue in His Majesties Obedience, and at our utmost powers to procure the same during our Lives, and for the same to rest and remain

Your Graces obliged Servants, &c.

His Majesties Answer follows.

Hamilton,

I Do not wonder, though I am very sorry for your last Dispatch, to which I shall answer nothing concerning what you have done, or mean to doe, because I have approved all, and still desire you to believe I do so, untill I shall contradict it with my own Hand. What now I write is, first to shew you in what Estate I am, and then to have your Advice in some things. My Train of Artillery consisting of 40 Peece of Ordnance (with the appurtenances) all Drakes, (half and more of which are to be drawn with one or two Horses apiece) is in good forwardness, and I hope will be ready within six weeks; for I am sure there wants neither Money, nor Materials to doe it with. I have taken as good order as I can for the present, for securing of Carlisle and Berwick; but of this you shall have more certainty by my next. I have sent for Arms to Holland, for 14000 Foot and 2000 Horse: for my Ships they are ready, and I have given Order to send three for the Coast of Ireland immediately, under pretence to defend our Fishermen. Last of all, which is indeed most of all, I have consulted with the Treasurer and Chancellour of the Exchequer, for Money for this years Expedition; which I estimate at two hundred thousand pounds Sterlin, which they doubt not but to furnish me; more I have done, but these are the chief heads. Now for your Advice, I desire to know whether you think it fit that I should send six thousand Land-men with the Fleet that goes to the Frith, or not; for since you cannot secure me my Castle of Edinburgh, it is a question whether you can secure the landing of those men, and if with them you can make your self Master of Leith, to fortifie and keep it: of this I desire you to send me your Resolution with all Speed. I leave it to your consideration, whether you will not think it fit to see if you can make all the Guns of the Castle of Edinburgh unserviceable for any body, since they cannot be useful for me. Thus you may see, that I intend not to yield to the Demands of those Traitors the Covenanters, who I think will declare themselves so by their Actions, before I shall doe it by my Proclamation; which I shall not be sorry for, so that it be

*An. 1638.* without the personal hurt of you, or any other of my honest Servants, or the taking of any English place. This is to shew you, that I care not for their affronting or disobeying my Declaration, so that it go not to open mischief, and that I may have some time to end my Preparations. So I rest

Greenwich,  
20 June, 1638.

Your assured constant Friend,

CHARLES R.

The Marquis did again send a new Dispatch much of the same strain with the former, before he had received this Letter, representing the great hazards he apprehended from a Breach, and that he feared the King would be faintly followed by the *English*: withall he gave the King a large account of the Explanation was offered to that part of the Covenant, by which they were bound to mutual Defence; to which His Majesty wrote the following Answer.

Hamilton,

**I** Must needs thank you that you stand so close and constantly to my Grounds, and you deserve the more since your fellow-Counsellours do rather dishearten than help you in this business, for which I swear I pity you much. There be two things in your Letter that require Answer, to wit, the Answer to their Petition, and concerning the Explanation of their damnable Covenant; for the first, the telling you that I have not changed my mind in this particular, is Answer sufficient, since it was both foreseen by me, and fully debated betwixt us two before your down-going; and for the other, I will onely say, that so long as this Covenant is in force, (whether it be with, or without Explanation) I have no more Power in Scotland than as a Duke of Venice; which I will rather die than suffer: yet I commend the giving ear to the Explanation, or any thing else to win Time, which now I see is one of your chiefest cares, wherefore I need not recommend it to you. Another I know is, to shew the World clearly, that my taking of Arms is to suppress Rebellion, and not to impose Novelties, but that they are the seekers of them; wherefore if upon the publishing of my Declaration a Protestation should follow, I should think it would rather doe right than wrong to my Cause: and for their calling a Parliament or Assembly without me, I should not much be sorry, for it would the more loudly declare them Traitors, and the more justifie my Actions; therefore in my mind my Declaration would not be long delayed: but this is a bare Opinion and no Command. Lastly, my resolution is to come my self in person,

ac-



*accompanied like myself, Sea-forces nor Ireland shall not be forgotten; the particulars of which I leave to the Comptrollers relation, as I do two particulars to the Archbishop of Canterbury, which you forgot to mention in my Letter: and so I rest*

Greenwich,  
25 June, 1638.

Your assured constant Friend,

CHARLES R.

Upon this the Marquis spoke big to them, and threatened to leave the Employment, and go to Court, but to return to Scotland again shortly, attending His Majesty in another posture. This cooled their Courage a little, for they were not then in a posture for a Breach; and so they spoke more mildly, saying, That they were sorry His Majesty mistook their good and innocent Intentions, all they designed being the preservation of Religion and Laws, and that if these were secured, they would demean themselves in all time coming as good Subjects: he said, If they would all go home to their Houses, he would beg liberty to wait on His Majesty with their Desires, and return them an Answer within three weeks or a month. But the true reasons that moved him to desire permission to go up, were, that hereby he gained so much more time, as also he would more fully inform the King of the state of Affairs, and see in what forwardness the Kings Preparations were; but chiefly, to try what he could prevail about establishing the Confession of Faith, which had passed in Parliament 1567: for he judged if His Majesty did sign and authorize that Confession with a Bond for defending it in subordination to the Kings Authority, it might give full satisfaction to all, that there should be no Innovation in Religion; at least, the Vulgar, who had been poisoned with those Fears, might be recovered, a considerable party of the Covenanters gained, and His Majesties Cause made more favourable to all the World. This was not to be moved or managed by Letters; therefore he begged permission to wait upon His Majesty, which the King granted in the following Letter.

The Marquis threatens the Covenanters,

who speak with more submission.

The Marquis asks leave to go to Court,

Hamilton,

**Y**ours of the 24th (though it be long) requires but a short Answer, it being onely to have leave to come up, which is grounded upon so good reason, that I cannot but grant it. Some Considerations in the mean time I think fit to put to you; first, to take heed how you engage your self in the way of Mediation to me; for though I would not have you refuse to bring up to me any Demand of theirs to gain time, yet I would not have you promise to mediate for any thing that is against my Grounds; for if you do, I must either prejudice my self in the granting, or you in denying: then, I would have you take care, that no more Subscriptions be urged upon any, especially of Council or Session: lastly, that you leave such encouragement to these few,

and obtains it of His Majesty,

An. 1638. few, that have not yet forsaken my Cause, that they may be assured (as well as I) that your up-coming is neither to desert them nor it. And thus certainly if (as you write) you get the mutinous Multitude once dispersed, you will have done me very good Service; for I am confident that my Declaration published before your coming away, (according to the Alterations that I have given you leave to make) will give some stop to their Madneses: however your endeavours have been such, that you shall be welcom to

Greenwich,  
29 June, 1638.

Your assured constant Friend,

CHARLES R.

The King did also signifie to him by my Lord of Canterbury, that he appointed him to adde to the Declaration some general words, giving hopes of an Assembly and Parliament, by whom also he gave him Warrant for calling the Session to *Edinburgh*.

To this I shall adde a Letter of the Bishop of *Ros* to the Marquis, which will shew what sense the Bishops had of his Proceedings all this while.

My Lord, may it please your Grace,

Letter from  
the Bishop of  
*Ros* to the  
Marquis.

WE are exceeding sorry to hear that the success of your Lordships Travels in this difficult Business; is otherwayes than good Christians and Subjects do wish, and heartily pray for; but on the other part, are glad to hear from our Friends there, that, whereof we were ever confident, that nothing is omitted by your Lordship to effectuate what is necessary for His Majesties Honour, and expedient for the good and quiet of that poor distracted and distempered Kingdom. For my own part give me leave, without either flattery or presumption, to say ingenuously, that the Course your Lordship keeps, seemeth to be such as all good and wise men must approve your Lordships wisdom and Loyalty. Infallibly the fruit will be, besides the Warrant your Lordship hath in your own Conscience by this Noble and Wise carriage, your Lordship must be more (if any accrement can be to former Deserts) beloved of your Master: it will indear your Lordship more to all good, wise, and well-affected Patriots, and oblige all, especially honest Church-men, to be your Servants. It cannot seem strange to any wise heart, who looks on the Distemper of that Kingdom, wherein is the concurrence of so many different and divers Distempers, where so many of all sorts of different Judgements, and no less variety of Affections, are so strongly engaged, and where many have their own private ends; that the best, wisest, and most powerful Agents, are not able on a sudden to rectifie their Judgements, cure their Affections, and by disappointing the private intentions of some, to reduce all to Order, Peace, and Quiet. In any great Work of this strain, we must all rely somewhat more on the wise and gracious Providence of God, than in other ordinary accidents: He is able to work good out of ill, light out of darkness, and order out of confusion, which I pray God heartily, we may see to His Glory, the Kings Honour, and Peace of the Church and State, without any other effect upon any author or abetter of these Disorders, but of Gods

Gods Mercy, and His Majesties Royal Clemency. In this I fear I have ex- An. 1638.  
 ceeded more, possibly, than becomes me with your Grace; but as I humbly  
 beg pardon, so I trust your Lordships Goodness will easily pardon the expres-  
 sions of a poor Heart surcharged with grief, not so much flowing from, or follow-  
 ing the fear of any Personal or Private evil can befall it, as fearing the danger  
 the Publick is in, because of our Sins, which are calling for Vengeance. God  
 of his Mercy give us Repentance, and be merciful to that Church and  
 State.

We can return nothing for your Lordships care and kindness to us but hum-  
 ble and hearty thanks, and earnestly pray God Almighty for all Honour,  
 Wealth, and Happiness to your Lordship here and hence.

As your Lordship hath commanded us we shall go from hence, and where  
 we pitch our abode, with the first opportunity shall acquaint your Lordship. We  
 were advised by our best friends to doe so, before we received your Lordships;  
 but that Obedience we owe, and promised to His Majesty and your Lordship,  
 made us that we would not stir for any Advertisement or Advice, how neces-  
 sary or affectionate soever, till we had your Lordships Warrant.

All that kind respect which is above our desert and condition, and tender  
 care your Lordship hath expressed to us, for our safety, and that which your  
 Lordship hath superadded out of your noble Bounty, desiring us to be so bold  
 as to shew your Lordship what Money, or any thing else necessary we stand in  
 need of, that your Lordship may supply our necessity in this, hath so perplexed  
 us for a time, that we knew not what to choose; on the one part being asha-  
 med to doe it, both because it seemeth impertinent, and incongruous to trouble  
 one of your Lordships Honour, Place, and Imployment, with matters of this  
 kind, and especially so unreasonably at such a time, when your Lordship is at  
 such charge for the Honour of His Majesties Service; as also that we are un-  
 profitable, and cannot be useful to your Lordship in any kind, and so how should  
 we. to other troubles we make your Lordship, adde this to be chargeable: yet  
 your Lordships noble and generous offer, and the necessity we are cast into at  
 this present, that what is our own or due to us we cannot command, and know  
 as little who will do us the favour at this time to trust us, hath made us (see-  
 ing Obedience is better than Sacrifice) to cast our selves upon your Lordships  
 Bounty and Favour; fearing on the one part your Lordship may be offended if  
 we doe it not, and on the other, that otherwise we cannot be provided: There-  
 fore I humbly intreat your Lordship, to let me have with the Bearer a hundred  
 and fifty Pieces, payable at Whitunday next with the Interest, or Martin-  
 mas, as your Lordship pleases; for which your Lordship shall receive from the  
 Bearer my own personal Bond. Here and at this time I cannot give better  
 Security, but by Gods Grace your Lordship shall be in no danger, come the world  
 as it will.

I have more than need to beg humble pardon for my unmannerly and im-  
 pertinent importunities, in troubling your Lordship at this time, taken up with  
 weighty Affairs, if it were but to read this long Paper; and that I offend no  
 more in this kind, I shut up all with my hearty Prayers to God Almighty for  
 all Honour and Happiness to your Lordship, and an effectual blessing upon your  
 Travels. So wisheth he who shall be, whilest he lives,

Berwick,  
 29 June, 1638.

Your Graces most humble and  
 bounden Servant,

JO. ROSSEN.  
 The



An. 1638. The Marquis had Orders from His Majesty to see the Bishops or other Churchmen, who suffered for their Duty, relieved out of the Treasury, but that was exhausted; yet the Marquis was careful that none of them should want; and therefore supplied them liberally out of his own Money, even without taking from them any Legal Security for repayment, as appears by the Accompts of his Trustees at that time.

The Session  
sits again at  
Edinburgh.

Upon the Kings Pleasure that was signified by the Archbishop of *Canterbury* the Marquis emitted a Proclamation for the Sessions sitting down on the second of *July* at *Edinburgh*, and thither he went that day to intimate to them His Majesties Goodness for them, in not putting them to the trouble and expence of removing their Families elsewhere; wherefore he recommended His Majesties Service to them, and that if any thing came from the *Tables*, they should not fail to pass that Censure on it which was according to Law. Next he called for the Covenanters Petitions, which he promised to present to His Majesty, and return them an Answer betwixt that and the fifth of *August*, with which they were satisfied for that time.

The Kings  
Proclamation  
is published,  
and protested  
against.

On the fourth of *July* he held a Council, and presented the Kings Declaration to the Councillours, and having before-hand prepared most of them with a great deal of industry, he got it signed by them all, & an Act passed, that the Subjects ought to rest satisfied with it. It was immediately sent to the Market-crofs, and proclaimed; but notwithstanding all the Grace it contained, it met with a Protestation from the *Tables*. But upon the back of this the Marquis met with one of the most troublesome passages of his whole Negotiation. There were some Councillours who were not satisfied with the Declaration, and those he got to be absent from Council that day: but divers of those who had signed the Act, (that the Subjects ought to rest satisfied with the Declaration) came afterwards to him, telling him, that he had pressed them to what they had not well considered when they did it, but upon second thoughts they found they had wronged their Consciences; wherefore they desired he would call a new Council, that they might retract what they had done. This he studied to divert by all means, representing how contrary it would be to their Honour, and to the Kings Service, and Good of the Country, and so he shook them off that night: but next day those and many more came to him with the same Desires, and say or do what he could, nothing would prevail with them; for they told him plainly, if he called not a Council, they would find another way to make their Retraction well enough known, and that was to subscribe the Covenant. The Marquis having spoken with the whole Council apart, found that three parts of four would immediately fall off, if he gave them not satisfaction; and judging that such a visible breach with the Council would ruine the Kings Affairs, therefore since the Act was not registred, but onely subscribed, he thought the Course that had least danger in it was to tear it before them: by this means he got that storm calmed.

The Council  
is inconstant.

The Marquis  
takes care of  
the Kings  
Castles.

All this while that he had been in *Scotland* he had not forgot the Kings Orders about his Castles. *Dumbrison* was secured, though it run a risque, the Constable being at *London*, and the Under-keeper taking the Covenant: but he called home Sir *William Stewart*, who was Constable under the Duke of *Lennox*, to wait on his Charge; and this delivered him from that hazard.

As for *Edinburgh-Castle* which was then in the Earl of *Marre's* hand, it cost

cost him more trouble. Divers of the Earl of Marre's friends, who had much credit with him, being not well inclined, and much being trusted to the Constable, he durst not in the Kings Name require him to yield it up, lest that had hastened on a Rupture; and he could not prevail by fairer ways at first: but the issue of this shall be told in its due place.

This being done, the Marquis took his Journey, and on the way he had the following Letter from His Majesty. An. 1638.  
He takes Journey,

Hamilton,

**I** Hope that this will find you on the way hitherward; wherefore remitting all business till I speak with you, these Lines are only to hearten you in your Journey, for I think that it will be very much for my Service. So desiring you to make as much haste as the weather will permit, I rest

Greenwich, the  
9th July, 1638.

Your assured constant Friend,

CHARLES R.

#### POSTSCRIPT.

*Forget not to bring with you the Copies of all the Proclamations and Protections that have been made.*

When he came to Court he gave the King a full account of all had passed in Scotland, and of the strength and fury of the Covenanters, together with the inconstancy of many of the Council, and how His Majesty had been abused in the hopes he was put in of the readiness of his Preparations in England; which I gather from some little Notes he took of things, and the Copies of his Letters. and gives the King an account of Affairs;

He next told His Majesty, that nothing prevailed so much on the Vulgar in Scotland, as the cursed insinuations were given of His Majesties staggering in the Protestant Religion; wherefore he proposed; that His Majesty might cause renew the Confession of Faith; which was established at the Reformation, and ratified in Parliament, An. 1567: and to that His Majesty did readily consent.

At length His Majesty having considered for some days of the whole Affair, and having fully debated every particular with the Marquis, and my Lord of Canterbury, in end His Goodness, and Paternal Affection for his poor Subjects, overcame all that Indignation which their Actions had raised in him; wherefore he resolved on enlarging his Instructions, which he did as follows.

CHARLES R.

**Y**OU shall try by all means to see if the Council will sign the Confession of Faith, established by Act of Parliament, with the new Bond joyned thereto; but you are not publickly to put it to Voting, except you be sure to carry it, and thereafter that probably they will stand to it. and gets new and fuller Instructions.

If the Council do sign it, though the Covenanters refuse, you shall proceed to the indicting of a free General Assembly; and though you cannot procure

K

the

An. 1638. the Council to sign it, yet you are to proceed to the indicting thereof, if you find that no other Course can quiet business at this time.

You shall labour by all fair means that the sitting of the Assembly be not before the first of November, or longer if you can obtain it: for the place, We are pleased to leave it to your election; for the manner of indicting, you must be as cautious as you can, and strive to draw it as near as may be to the former Assemblies in my Fathers time.

You must labour that Bishops may have Votes in Assemblies, which if you cannot obtain, then you are to protest in their Favours in the most formal manner you can think of.

As for the Moderator in the Assembly, you are to labour that he may be a Bishop, which though you cannot obtain, yet you must give way to their Election.

You are to labour, that the Five Articles of Perth be held as indifferent; strive that the admissions of Ministers may continue as they are; you may condescend, that the Oaths of their Admission be no other than is warranted by Act of Parliament.

You are, if you find that it may any wise conduce to Our Service, to enact and publish the Order made at Holyroodhouse by Our Council the fifth of July last, for discharging the use of the Service-Book, Book of Canons, and the practice of the High Commission.

You are to protest against the abolishing of Bishops, and to give way to as few restrictions of their power as you can; as for the Bishops not being capable of Civil Places, you must labour what you can to keep them free.

You may give way that they shall be accountable to the General Assembly, which you shall indict at the rising of this against that time twelve month.

As for the Bishops Precedence, you are not to admit them of the Assembly to meddle therewith, it being no point of Religion, and totally in the Crown.

If the Bishop of St. Andrews, or any other, be accused of any crime, you are to give way to it, so they may have a free Trial; and likewise the same of whatsoever person or Officer of State.

It is left to your discretion what course Bishops shall take, that are for the present out of the Country.

You are to advise the Bishops to forbear sitting at the Council, till better and more favourable times for them.

Notwithstanding all these Instructions abovementioned, or any other accident that may happen (still labouring to keep up Our Honour so far as possibly you can) you are by no means to permit a present Rupture to happen, but to yield any thing though unreasonable, rather than now to break,

London the 27<sup>th</sup> July, 1638.

C. R.

But with this His Majesty ordered him to see, That the Country were again settled before he indicted the Assembly, that the Moderators named by Bishops in Presbyteries might be again reponed, and according to the Act of the Assembly 1606. they might be held necessary Members of the Assembly, that all Ministers turned out since these Stirs began, might be again restored, and that all Ministers admitted without Bishops might desist from the exercise of their Function: That all people might keep their own Churches, and that Bishops and Ministers who took not the Covenant, might live quietly without disturbance, and have their Stipends paid them. His Majesty also



so gave warrant, That if need required he might call a Parliament against An. 1638. April next: and with these Instructions the King wrote to the Council the following Letter.

CHARLES R.

**R**ight trusty and well-beloved Cousin, Councillour and Commissioner, and Right trusty and well-beloved Cousins and Councillours, and trusty and well-beloved Councillours, We Greet you well. The Kings  
Letter to the  
Council,

The great Distractions which have of late arisen both in Kirk and Commonwealth, in that Our Ancient Kingdom of Scotland, have much troubled the minds of many good and loyal Subjects there, and these Distractions have fallen out among them upon Jealousies and Fears of Innovation in Religion, and introducing of Popery; and not without some Fears conceived amongst them, as if We Our Self were that way inclined.

Upon occasion of these Fears they have of late signed a Covenant, or Bond for conserving the Religion established, and the Laws of the Country: but this Bond being not subscribed by Royal leave and Authority (as was that in Our dear Fathers time) must needs be both null in it self, and very prejudicial to the ancient and laudable Government of both Kirk and Commonwealth: which though We must declare unto you, yet out of Our inborn Love to that Our Native Country, and Loyal Subjects there, and for the obviating of these causeless Fears, and to satisfie your selves and all Our loving People, We do hereby under Our hand let you know that We are, and have ever been satisfied fully in Our Judgement and Conscience, both for the Reformed Religion and against the Roman; and that by Gods Grace and Goodness, We purpose both to live and die in the belief and practice of the Religion now established, and to preserve it in full strength, according to the Laws of that Our Kingdom: and to the end that this may appear to Posterity, how firm and settled We are in that Our Religion, We require you Our Commissioner and Council to see these Letters registred according to course.

Given at Our Court at Oatlands, July 30. 1638.

His Majesty signed also the following Declaration.

CHARLES R.

**T**HE great Distractions which of late have risen both in Kirk and Commonwealth, in this Our ancient Kingdom, have so troubled the minds of many of Our good and loyal Subjects there, that they have been possessed with Fears as if Popery had been intended to have been introduced, and as if We Our Self were that way inclined: upon occasion of which Fears a Covenant or Bond of late hath been drawn up, intended by the Subscribers (as doth appear by their Supplication, presented to Our Commissioner the 26th of June last) for conserving the Religion and Laws of the Country; but it not being done by Royal leave and Authority, as was that in Our dear Fathers time, must be both null and void of it self, and much prejudicial to the ancient and laudable Government of Kirk and Commonwealth: Therefore We for obviating those Fears, which have been misconceived, both against Our Person and Profession, for matters of Religion, and to satisfie not Our loving Subjects only, but all the Christian World, that We do, and (by Gods Grace) ever will maintain the true Christian and Reformed Religion, established

*An. 1638. blished in this Our Kingdom, and to let the World see, that this shall be done in and with all freedom according to the Laws of Our Country, have signed the Confession of Faith, established by Act of Parliament An. 1557. with this Bond following, in defence of it, and Royal Authority, Laws, and Liberties of the Country; and do also require the present Subscription of this Confession, and Bond by all Our loving Subjects, that it may remain in force to Posterity, that they may know how careful We are, and have been to preserve the integrity of Religion, and the freedom of Our Laws.*

Here the *Confession of Faith* was inserted, which is to be seen in the Acts of Parliament *An. 1567.* and therefore it being of great length, the Reader is referred to the Acts of the Parliaments of Scotland.

Thereafter followed this ensuing Bond.

with the Bond  
to be signed.

*We and every one of us underwritten do protest and swear in the presence of God Almighty, that we are truly and fully resolved in our Consciences, that this is the Confession of the true Faith of Christ, established by the Laws of this Country, and that (by the Grace of God) we will profess and maintain the same all the dayes of our Lives; and because the safety of Religion, Kirk, and Commonwealth, depends much upon the comfortable assistance which all of them daily receive from Royal Justice and Authority, we protest and promise with our Hearts, under the Obligation of the same Oath, to defend not only this our Religion, but the Kings Majesties Sacred Person and Authority, as also the Laws and Liberties of this our Country under His Majesties Sovereign Power, with our best Counsels, Bodies, Goods, and whole Estates, according to the Laws, and against all sorts of persons, and in all things whatsoever, and likewise mutually to defend our selves, and one another, in this abovementioned Cause under the same obligation.*

The Covenanters are very  
busie in Scotland.

Debates betwixt the  
Doctors in Aberdeen  
and them.

But while the Marquis was busie at Court, procuring this Gracious Answer to their Demands, and while His Majesty was condescending to such extraordinary Favours to them, the Covenanters in Scotland were going on, posting up and down the Country for more Subscriptions to the Covenant: and because the North continued firm to their Duty, some Noblemen and Ministers went thither to draw them to their Party, and on the 23<sup>d</sup> of July, they came to *Aberdeen*, where there was a company of worthy and learned Doctors and Professors. But the Covenanters welcome there was so cold, (all the Subscriptions they got being but 19 or 20; and they were not admitted to preach in the publick Churches, which made them preach in the Court of the *Earl Marshal's Lodgings*) that they went away full of fury and threats against that Place; and this gave the rise to that Debate which followed betwixt the Doctors of *Aberdeen* and those Ministers, which the Learned Doctors managed with so great advantage, as did not a little confound the whole Party: and the Ministers being pinched by them about the lawfulness of combining without warrant of Authority, alledged, that my Lord Commissioner was satisfied with the Covenant, upon the offer of that Explication was mentioned formerly. But the falshood of this Calumny was cast back on them with shame, by him at his return; for as he had never expressed any satisfaction with their Cove-

Covenant, so all the ground they had for that, was, because according *An. 1638.* to the Kings Order he had treated about that Explication to gain time.

He brought along with him to *Scotland* Dean *Balcanqual*, a man of great parts, of subtil wit, and so eloquent a Preacher, that he seldom preached in *Scotland* without drawing Tears from the Auditors. Him the Marquis intended to make use of, as his Council in Church-affairs, which Trust he discharged faithfully and diligently, and received those Informations which were made publick in the large Declaration penned by him.

*Doctor Balcanqual comes to Scotland.*

The Marquis came to *Holyroodhouse* on the tenth of *August*, and found things in a much worse posture than he had left them, and that the Flames were growing almost past quenching; for at a Convention of Burroughs a few days before, they had enacted, That none might be Magistrates, or bear Office in any Burrough, except he had first taken the Covenant: and the Covenanters were resolved, that Bishops should have no Vote in the Assembly, unless they were chosen by a Presbytery; and they were sure that should not be. They were resolved to abolish Episcopacy, and to declare it unlawful, and excommunicate, if not all, yet most of the Bishops; they were resolved to condemn the Articles of *Perth*, and discharge Bishops to Vote in Parliament; they were also resolved, to ordain all under pain of Excommunication to sign the Covenant; and to shew they meant to break out into Hostility, they were beginning to levy men in several places. But to make sure work of the Assembly, they fell on a new device of Lay-elders to be chosen Commissioners, who should be men of the greatest power and interest, whereby they doubted not to carry all things; and because in a Meeting at *Edinburgh* of Ministers being 120 in number, about four parts of five were only for limiting of Episcopacy, it was resolved by the *Junto*, that none of these should be Commissioners. The Marquis being surprized with so great a change of the State of Affairs, gave account of all these inconveniences to His Majesty, and resolved not to proceed to call a General Assembly, since he saw what effects it was like to produce, till he first went and acquainted His Majesty with these hazards.

*The Covenanters high resolutions.*

On the 13<sup>th</sup> of *August* the Covenanters came to demand his Answer: he told them, he had a clear and full Answer to give them, but desired to be excused till he first communicated it to the Council, which was to sit next day. So they were satisfied for that time, and on the fourteenth he held a Council, where he delivered His Majesties Answer in these Terms.

*The Marquis makes known His Majesties intentions.*

My Lords,

I Thought it fit to acquaint your Lordships before I returned His Majesties Answer to the Noblemen, and others petitioning for the same, which is so full of Grace and Goodness, that we have all cause to bless God, and thank His Majesty for it, such is his tender care of this poor distracted Kingdom, that he will leave nothing undone, that can be expected from a Just Prince, to save us from Ruine; and since he finds such Distraction in the Church and State, that they cannot be well settled without a Parliament and Assembly, the state of the Country and business being prepared for it, he hath given me Warrant for calling of both, that they may be orderly held, as formerly they have



An. 1638. have been, according to the Laws and Customs of the Kingdom.

And further I am to declare to your Lordships, that this we are to attribute only to His Goodness, for we cannot but acknowledge, that our carriage hath been such, as justly we might have expected that he would have taken another course with us: which he was Royally and really prepared for, (had not His Mercy prevailed above His just Indignation) and by a powerful and forcible way have taught us Obedience, which he hath forbore to make use of, meerly out of His Grace and Goodness. It is our duty to let His Subjects know, how great our obligation is to Him, which every one of us in particular, and all of us in general, should strive to make every one sensible of; and labour, so far as lieth in our power, to procure satisfaction to His Majesty, and quiet to this distracted Church and State.

But the Covenanters were not satisfied.

The day following he gave the Covenanters the same Answer, with which they were no way satisfied. They asked, what he meant by preparing of business; he said, it was to establish Order and Government again in the Country, as it was before those Combinations; and upon this he gave them a Note of those particulars His Majesty ordered to be settled, and assured them immediately upon their Obedience, he should indict an Assembly and Parliament, as he was instructed. They continued treating about this till the 20<sup>th</sup> of August, but still declined to execute those particulars that were commanded, and threatened to call an Assembly and Parliament themselves: wherefore the Marquis craved again the space of twenty days, to go and bring an Answer from His Majesty; which he did to gain more time, and to shew the King into what extremities they were now run; and that it was necessary He should immediately break with them, or give way to the full Career of their zeal: and so he took Journey on the 25<sup>th</sup> to Court.

The Marquis goes again to Court.

But the first night he stopped at Broxmouth to consider with the Earls of Traquair, Roxburgh and Southesk, what advice to offer His Majesty, who agreed on the following Articles, taken from the Original penned by Traquair.

Articles of advice offered to His Majesty.

Since the cause and occasion of all the Distractions, which of late have happened both in Kirk and Polity, seems to proceed from the conceived Fears of Innovation of Religion and Laws, and that the Service-Book, Book of Canons, and the unbounded power of Bishops in the High Commission (never yet warranted by Law) was that which first gave ground and occasion to the Subjects Fears, and seeing the said Books are offered to be proved, to be full of Tenets and Doctrines contrary to the Reformed Religion, professed and established within this Kingdom, and the same introduced against all form and custom practised in this Church; it were an Act of Justice well befitting so Gracious and Glorious a King, absolutely and fully to discharge the same.

And seeing likewise this High Commission hath given so great offence to so many of Your Majesties good Subjects, and as is constantly affirmed, is of so vast and illimited a power, and contrary to express Laws, by which all such Judicatories, not established by Act of Parliament, are declared to be of no force; it would much conduce to the satisfaction of this People, if this Judicatory were discharged till the same were established by Law.

The practice of the Five Articles of Perth hath been withstood by the most con-

considerable part of the Subjects of all qualities, both Laity and Clergy, where-  
 by great Divisions have been in this Church, and are like to have an in-  
 crease, if Your Majesty (in Your accustomed goodness and care of this poor  
 Kirk and Kingdom) shall not be graciously pleased to allow that the pressing  
 of these Articles may be forborn until the same may be considered of in an  
 Assembly and Parliament; and although we conceive Episcopacy to be a  
 Church-Government most agreeable with Monarchy, yet the illimited power  
 which the Lords of the Clergy of this Kingdom have of late assumed to them-  
 selves, in admitting and deposing of Ministers, and in divers other of their  
 Acts and Proceedings, gives us just ground humbly to beg, that Your Ma-  
 jesty may be pleased to remit to the Consideration of the Assembly this their un-  
 warranted Power.

The sense and apprehension of these foresaid Evils, hath stirred up the Sub-  
 jects without warrant of Authority, to joyn in a Bond and Covenant, to with-  
 stand the foresaid Innovations, and for maintainance of the true Religion;  
 the Kings Majesties Person, and of one another in the defence thereof.

If Your Majesty might be graciously pleased in supplement hereof, to allow  
 or warrant such a Confession of Faith, with such a Covenant or Bond joyned  
 thereto, as that signed by Your Majesties Father, and by His Command, by  
 the Council and most part of the Kingdom, we are very confident the same  
 would be a ready and forcible mean to quiet the present Disorders; at least to  
 satisfy most part; and if Your Majesty shall condescend to the foresaid Pro-  
 positions, we are hopeful, if not confident, it shall give so great content to so  
 considerable a number of Your Majesties good Subjects, of all qualities, that if  
 any shall stand out, or withstand Your Majesties Royal Pleasure, after the  
 publication thereof, they may be overtaken by Your Majesties Power within  
 this Kingdom, without the help or assistance of any Force elsewhere.

And because it is to be hoped, that all that hath past in this business, and  
 all the Courses that have been taken herein by the Subjects, hath proceeded  
 from the foresaid Fears of Innovations, and not out of any Disloyalty or dis-  
 satisfaction to Sovereignty, and that Your good People may still taste the fruits  
 of Your Grace and Goodness, we wish Your Majesty may be graciously plea-  
 sed, upon the Word of a King, to pardon what is past, and never so much as  
 to take notice of any of the Actions or Proceedings of what person soever,  
 who after this shall carry himself as becomes a dutiful Subject, and in te-  
 stification thereof shall give his best assistance for settling the present Dis-  
 orders.

And if Your Majesty may be pleased to condescend hereto, we conceive all  
 Your Majesties Subjects, Petitioners or Covenanters, should acquiesce, and  
 rest heartily satisfied therewith; and if any shall be so foolish or mad, as not-  
 withstanding this Your Majesties grace and goodness, still to disturb the  
 Peace of Your Majesties Government, we in testification of our hearty thank-  
 fulness to our Sovereign, by these humbly and heartily make offer of our Lives  
 and Fortunes, for assisting Your Majesty, or Your Commissioner, in suppressing  
 all such Insolences or insolent persons.

Signed,

Hamilton,  
 Traquair.

Roxburgh.  
 Southesk.

From

An. 1638. From *Broxmouth* he went forward to wait on His Majesty, and did shew him, that unless he enlarged his Instructions he was to treat no further; since he saw the Contempt was like to be put on the last Instructions so visibly, that he durst not make use of them, lest he should thereby have exposed His Majesties Goodness to new Affronts. And as he represented this to His Majesty, so he told him, nothing seemed so likely a Course for removing of Jealousies and settling all things, as the Authorising the Covenant that upon King *James* his command was drawn up by Mr. *John Craig*, An. 1580. containing the renunciation of all the Articles of Popery, which was the ground of the present Covenant.

The Marquis advises the King to renew King *James* his Covenant.

The King reasons against that.

His Majesty did utterly disrelish the Proposition of signing that Covenant, usually called the *Negative Confession*; for he remembered how his Father had repented his doing of that, as rash and indeliberate. And it seemed strange to him, that so many Negatives should be sworn to, especially with such aggravations of Epithets; as if one might not be firm enough to the Protestant Doctrine, unless he not only abjured Popery in bulk, but also by retail, in so many particulars, some whereof might be both uncertain and indifferent. And it seemed tyrannical over tender Consciences, to require such an Oath from all Persons, but more especially from Women and simple People who could not judge well, and so were not fit to swear in such nice points; therefore the King said, he looked upon the Remedy proposed as full as bad, if not worse, than the Disease. The Marquis was so far from denying this, that he confessed, he could hardly without straining of his own Conscience resolve on the doing of it himself, upon divers accounts; a chief one being, that in disclaiming of Transubstantiation, the real presence of the Body and Blood of Christ was rejected, which he could not sign without declaring, that by *real*, he understood *corporal* (and this he accordingly declared when he signed it.) But to this he added, that it was the Idol of *Scotland*, and he saw no other way to reduce things to any temper, unless this Course were taken and followed.

He presented likewise to the King a Paper of all the Inconveniences, which were not only like to follow on the calling of an Assembly, but seemed certain: which Account was so full, that when the Bishop of *Ross* came up after that, being sent by the Bishops, to divert the King from calling an Assembly, His Majesty said, he offered no inconvenience could follow on it, but what the Marquis had laid out to the full before him. And now the King resolved to try the utmost of yielding, for the recovery of His Subjects; therefore he again dispatched His Commissioner from *Oatlands*, on the tenth of September, with ample Instructions which follow.

#### CHARLES R.

I.  
The Marquis gets new Instructions.  
II.

**Y**OU shall in full and ample manner, by Proclamation or otherwise, as you shall see cause, declare, That We do absolutely revoke the Service-Book, the Book of Canons, and the High Commission.

You shall likewise discharge the practise of the Five Articles of Perth, notwithstanding the Act of Parliament, which doth command the same, and in the said Proclamation you shall promise, in Our Name, that if in the first Parliament to be held the three Estates shall think fit to repeal the said Act,



*Act, We shall then give Our Royal Assent to the said Act of Repeal.*

*An. 1638.*

*You shall likewise declare, that We have enjoyed, and authorized the Lords of Our Privy Council to subscribe the Confession of Faith, and Bond thereto annexed, which was subscribed by Our dear Father, and enjoyed by His Authority in the year 1580. and likewise have enjoyed them to take order, that all our Subjects subscribe the same.*

III.

*You shall likewise declare, That Our meaning and pleasure is, that none of Our Subjects, whether Ecclesiastical or Civil, shall be exempted from censures and trial of the Parliament, or General Assembly, those Courts proceeding against them in due form and order of Law.*

IV.

*You shall likewise declare, That we are Graciously content, that the Episcopal Government, already established, shall be limited with such Instructions as may stand with the Laws of this Church and Kingdom already established.*

V.

*You shall offer a Pardon by Proclamation, and promise in it a Ratification of the same in Parliament, to all Our good Subjects, who shall rest satisfied, with this Our gracious Declaration, and hereafter carry themselves as becomes peaceable and dutiful Subjects.*

VI.

*You shall procure an Act of Council, wherein every Councillour shall declare himself fully satisfied with this our Declaration, and (if you can) they shall moreover solemnly swear and protest to adhere to Us, and with their Lives, Fortunes, and whole Means, assist Us in the punishing and repressing all such, as shall be found to be disobedient to Us, or persist in turbulent and unpeaceable Courses; and if any of Our Councillours shall refuse so to doe, you shall presently remove him from the place of a Councillour.*

VII.

*You shall likewise require every Lord of the Session to subscribe the Confession of Faith abovementioned, and the Bond thereunto annexed; as likewise to make the same Protestation in all things, as in the last Instruction is required of a Councillour: and if they shall refuse to doe it, you shall then certify to Us the Names of such Refusers.*

VIII.

*You shall likewise declare, that Our Pleasure is, That a most solemn Fast be indicted upon a set day throughout the whole Kingdom, which shall precede the General Assembly in some competent time. The Causes shall be declared, to beg Gods blessing on that Assembly, to beg of God a peaceable end to the Distractions of this Church and Kingdom, with the aversion of Gods heavy judgement from both. The form of Indiction we desire to be according to the most laudable Custom of this Church in most extraordinary cases.*

IX.

*You shall labour as much as in you lieth, that both the Electors, and Persons elected to be Commissioners at the General Assembly, shall be the same that were wont to be in My Fathers time, and the same forms to be observed as near as may be; but yet if that cannot be obtained, it shall be no lett to you from indicting a General Assembly; but you shall go on in it, by all such means, as you shall find to be most advantageous to Me in that Service.*

X.

*The time and place of the Assembly, (Edinburgh only excepted) We leave to your Judgment and Pleasure.*

XI.

*You shall likewise presently indict a Parliament; the time and place We leave likewise to you.*

XII.

*Whether you shall first publish Our Gracious Offers, or first indict the Assembly, We leave it to your own Judgment as you shall see cause.*

XIII.

*If you shall find the most considerable part of the Council not to acquiesce*

XIV.

*An. 1638. in this Our Gracious Declaration, and not to promise hearty and chearful Assistance to Us, as is above-expressed, or not a considerable part of other Lords and Gentlemen, in case Our Council refuse, then you shall neither indite Parliament nor Assembly, nor publish any of My Gracious Offers, except only the abolishing of the Service-Book; Book of Canons and High Commission; but leave them to themselves, and to such further Order, as We shall be forced to take with them: only if you foresee a Breach, you shall give timely warning thereof, to such as have stood well-affected to Our Service, that so they may in due time provide for their safety, and your self is to return to Us with expedition.*

**XV.** *You must by all means possible you can think of be infusing into the Ministers, what a wrong it will be unto them, and what an oppression upon the freedom of their Judgements, if there must be such a number of Laicks to overbear them, both in their Elections for the General Assembly and afterwards.*

**XVI.** *Likewise you must infuse into the Lay-Lords and Gentlemen with art and industry, how manifestly they will suffer, if they let the Presbyters get head upon them.*

**XVII.** *For the Forms of these We leave to you, and such Learned Council as you shall use upon the place, always provided, that you retain the substance of these Our Instructions.*

**XVIII.** *You shall enjoyn in Our Name the Lords of Council, and all other Our good Subjects to subscribe the Confession of Faith signed by Our dear Father; and publish Our charge to all Commissioners and Ministers for that end, according to the same, signed with Our Royal Hand; and further proceed in that particular, according as We have directed you, and Our Council by Our Letter to that effect.*

Oatlands the 9<sup>th</sup>  
of Septemb. 1638.

CHARLES R.

With these His Majesty did also sign the following Instructions for his behaviour with the Bishops.

CHARLES R.

Instructions to  
be communi-  
cated to the  
Bishops.

**Y**OU shall shew My Lord of St. Andrews, that We intend by being content with his demission of the Chancellours Place no injury to him; and most willing We are, that in the manner of doing it he may receive no prejudice in his reputation, though we cannot admit at this time of his nominating a Successor; and to make it more plain, that We are far from having any thought to affront him, by thinking of his demission, We will in no ways that you urge him to do it; yet you are to intimate, that in Our opinion a fair Demission will prove more to the advancement of Our Service, and be better for him, than if he should retain the Place.

If you find him willing to demit, you shall then try what consideration he doth expect from Us, and if the same be not altogether unreasonable, you shall promise it in Our Name.

If a demission, then it is presently to be done.

If he resolve to hold that Place, then you must presently command his repair to Scotland, all excuses set apart.

You

You shall communicate to him and the rest of his Brethren, that far of Our *An. 1638.*  
Intentions, that it is probable you may indict a General Assembly.

Thai We are content absolutely to discharge the Books of Service, and Canons, and the High Commission.

You shall shew that the Five Articles of Perth We are pleased be esteemed as indifferent, and that though We maintain Episcopacy, yet We will be content that their Power be limited according to the Laws.

And it is Our further Pleasure, that if an Assembly be indicted, he and the rest of his Brethren be there, to defend themselves and their Cause: and for that end, that he and they repair to Newcastle, Morpeth, or Berwick, there to attend your further advertisement, that so immediately they may repair to Scotland, not only to answer for themselves at the said Assembly, but likewise to consult with you, what will be fittest to be done, for the advancement of Our Service, that evil may be kept off, so much as in you and them lieth, both from Kirk and Commonwealth.

Oatlands the 9<sup>th</sup> September, 1638.

C. R.

As for the Place where the Assembly should be held, though in the written Instructions it is referred to my Lord Commissioners choice, (Edinburgh only excepted) yet it seems it hath been concerted betwixt the King and him where it should hold; for in a Paper concerning the Assembly, presented by the Marquis to the King, yet extant, where mention is made of the Place of the Assembly, the King with His Own hand interlined, (*Glasgow if may be;*) and without doubt, that was the fittest place: for as the City was large and convenient, so the Magistracy there was right set. Besides, it was next to the place of the Marquis his Interest, whereby his power for over-ruling them might have been greatest; neither was it fit they should go so far from the scene as Aberdeen (which was advised by my Lord St. Andrews;) since for the Strangers, it would have been all to one purpose, for thither they would all have flocked; and it seemed not so proper, they should meet in a Place or Country, which was still well set, lest the numbers and boldness of those Strangers, had either poisoned or frightened them from their Duty. But to make the whole matter clear, I shall here set down the Covenant and Bond, which were now enjoyed by His Majesty.

The Assembly was to sit at Glasgow.

**W**E all and every one of us underwritten, protest, that after long and due examination of our Consciences in Matters of true and false Religion, we are now thorowly resolved in the Truth, by the Word and Spirit of God; and therefore we believe with our Hearts, confess with our Mouthes, subscribe with our Hands, and constantly affirm before God and the whole World, that this only is the true Christian Faith and Religion, pleasing God, and bringing Salvation to man, which is now by the Mercy of God revealed to the World by the preaching of the blessed Evangel, and received, believed, and defended by many and sundry notable Kirks and Realms, but chiefly by the Kirk of Scotland, the Kings Majesty, and the Estates of this Realm, as Gods eternal Truth, and only ground of our Salvation; as more particularly is expressed in the Confession of our Faith, stablished, and publickly confirmed by sundry Acts of Parliaments, and now of a long time hath been openly professed by the Kings Majesty, and whole body of this Realm, both in

The National Covenant first signed by King James, and now received by the Kings Order.



An. 1638. Burgh and Land: to the which Confession, and form of Religion, we willingly agree in our Consciences in all points, as unto Gods undoubted Truth, and verity grounded only upon his written Word; and therefore we abhor and detest all contrary Religion and Doctrine, but chiefly all kind of Papistry in general, and particular Heads, even as they are now damned and confuted by the Word of God, and Kirk of Scotland. But in special we detest and refuse the usurped Authority of that Roman Antichrist upon the Scriptures of God, upon the Kirk and Civil Magistrate, and Consciences of men; all his tyrannous Laws made upon indifferent things against our Christian Liberty, his erroneous Doctrine against the Sufficiency of the written Word, the perfection of the Law, the Office of Christ, and his blessed Evangel; his corrupted Doctrine concerning Original Sin, our natural inability, and rebellion to Gods Law, our Justification by Faith only, our imperfect Sanctification, and obedience to the Law, the nature, number and use of the Holy Sacraments; his Five bastard Sacraments, with all his Rites, Ceremonies, and false Doctrine, added to the ministration of the true Sacraments, without the Word of God, his cruel Judgements against Infants departing without the Sacrament, his absolute necessity of Baptism, his blasphemous opinion of Transubstantiation, or real presence of Christs Body in the Elements, and receiving of the same by the wicked, or bodies of men; his Dispensations with Solemn Oaths, Perjuries, and degrees of Matriage forbidden in the Word, his cruelty against the Innocent divorced, his devilish Mass, his blasphemous Priesthood, his profane Sacrifice for the sins of the dead and the quick, his Canonization of men, calling upon Angels or Saints departed, worshipping of Imagery, Reliques, and Crosses, dedicating of Kirks, Altars, Days, Vows to Creatures; his Purgatory, Prayers for the Dead, praying or speaking in strange Language, with his Processions and blasphemous Litany, and multitude of Advocates or Mediators; his manifold Orders, Auricular Confession, his desperate and uncertain Repentance, his general and doubtfome Faith; his Satisfactions of men for their sins, his Justification by Works, Opus operatum, Works of Supererrogation, Merits, Pardons, Peregrinations and Stations; his Holy Water, Baptizing of Bells, conjuring of Spirits, crossing, saving, anointing, conjuring, hallowing of Gods good Creatures, with the superstitious opinion joynd therewith; his worldly Monarchy, and wicked Hierarchy, his three solemn Vows, with all the shavellings of sundry sorts; his erroneous, and bloody Decrees made at Trent, with all the Subscribers and Approvers of that cruel and bloody Bond, conjured against the Kirk of God; and finally we detest all his vain Allegories, Rites, Signs and Traditions brought into the Kirk, without or against the Word of God, and Doctrine of his true Reformed Kirk, to the which we joyn our selves willingly, in Doctrine, Faith, Religion, Discipline, and use of the Holy Sacraments, as lively Members of the same in Christ our Head; promising and swearing by the great Name of the Lord our God, that we shall continue in obedience of the Doctrine and Discipline of this Kirk, and shall defend the same according to our vocation and power, all the dayes of our lives, under the paines contained in the Law, and danger both of body and soul in the day of Gods fearful Judgement: and seeing that many are stirred up by Satan, and that Roman Antichrist, to promise, swear, subscribe, and for a time use the Holy Sacrament in the Kirk deceitfully against their own Consciences, minding hereby first, under the external Cloak of Religion, to corrupt and subvert secretly Gods true Religion within the Kirk, and afterward where time may serve, to become open enemies and persecuters of the same, under vain hope

hope of the Popes Dispensation, devised against the Word of God, to his greater An. 1638.  
confusion, and their double Condemnation in the day of the Lord Jesus.

We therefore willing to take away all suspicion of hypocrisie, and such double-dealing with God and his Kirk, protest, and call the Searcher of all hearts to witness, that our minds and hearts do fully agree with this our Confession, Promise, Oath, and Subscription, so that we are not moved for any worldly respect, but are persuaded onely in our Consciences, through the knowledge and love of Gods true Religion, printed in our hearts by the Holy Spirit, as we shall answer to him in the day when the secrets of all hearts shall be disclosed. And because we perceive that the quietness and stability of our Religion and Kirk, doth depend upon the safety and good behaviour of the Kings Majesty, as upon a comfortable Instrument of Gods Mercy, granted to this Country for the maintenance of his Kirk, and ministration of Justice among us, we protest, and promise with our hearts, under the same Oath, hand-writ, and pains, that we shall defend his Person and Authority, with our Bodies and Lives, in the defence of Christ his Evangel, Liberties of our Country, ministration of Justice, and punishment of Iniquity, against all Enemies within this Realm, or without, as we desire our God to be a strong and merciful Defender to us in the day of our Death, and coming of our Lord Jesus Christ, to whom with the Father and the Holy Spirit be all Honour and Glory eternally. Amen.

**W**E underscribing and considering the strait link and conjunction betwixt The Bond  
the true and Christian Religion presently profess within this Realm, and joyned to it.  
our Sovereign Lords Estate and Standing, having both the self-same Friends and common Enemies, and subject to the like event of standing and decay; weighing therewithall the imminent danger threatned to the said Religion, the Preservation whereof being dearer to us than whatsoever we have dearest to us in this Life, and finding in His Majesty a most Honourable and Christian Resolution, to manifest Himself to the World that zealous and religious Prince, which he hath hitherto professed, and to imploy the means and power that God hath put into his hands, as well to the withstanding of whatsoever foreign Force shall mean within this Land, for alteration of the said Religion, or endangering of the present State, as to the repressing of the inward Enemies thereto amongst our selves, linked with them in the said Antichristian League and Confederacy, have therefore in the presence of Almighty God, and with His Majesties Authorizing and Allowance, faithfully promised and solemnly sworn, likeas we hereby faithfully and solemnly swear and promise, to take a true effauld and plain part with His Majesty, amongst our selves, for diverting of the appearing danger threatned to the said Religion, and His Majesties State and Standing depending thereupon, by whatsoever foreign or intestine Plots or Preparations; and to that effect, faithfully, and that upon our Truth and Honours, bind and oblige us to others, to convene and assemble our selves publicly with our Friends in Arms, or in quiet manner, at such Times and Places as we shall be required by His Majesties Proclamation, or by Writ or Message directed to us from His Majesty, or any having Power from him, and being convened and assembled to joyn and concur with the whole Forces of our Friends and Followers, against whatsoever foreign or intestine Powers or Papists, and their Partakers, shall arrive or rise within this Island, or any part thereof, ready to defend or pursue, as we shall be authorised or conducted by His Majesty, or any others having his Power and Commission, to joyn and hold hand to the execution of whatsoever Mean or Order shall be thought meet by His Majesty and His Council, for suppressing of the Papists, promotion of the true Religion, and settling of His Highness Estate, and



An. 1638. *and Obedience in all the Countries and Corners of this Realm, to expose the hazard of our Lives, Lands, and Goods, and whatsoever means God hath lent us, in the defence of the said true and Christian Religion, and his Majesties Person and Estate, against whatsoever Jesuits and Seminary or Mass Priests, condemned Enemies to God and His Majesty, to their utter wreck and extermination according to the Power granted to us by His Majesties Proclamation and Acts of Parliament, to try, search, and seek out all Excommunicates, Practisers, and other Papists whatever within our bounds and Shire where we keep residence, and delate them to His Highness and His Privy Council, and conform us to such Directions as from time to time we shall receive from His Majesty and His Council in their behalfs: and so specially so many of us as presently are, or hereafter shall be appointed Commissioners in every Shire, shall follow, pursue, and travel by all means possible, to take and apprehend all such Papists, Apostates, and Excommunicates, as we shall receive in Writ from His Majesty. And we the remanent within that Shire shall concur and assist with the said Commissioners, with our whole Friends and Forces to that effect, without respect of any person whatsoever, and generally to assist in the mean time, and defend every one of us another, in all and whatsoever Quarrels, Actions, Debates, moved, or to be moved against us, or any of us, upon Action of the present Bond, or other Causes depending thereupon, and effaundly joyn in defence and pursuit against whatsoever shall offer or intend any injury or revenge against them, or any one of them for the Premises, making his cause and part that is pursued all our parts, notwithstanding whatsoever privy grudge or displeasure standing betwixt us, which shall be no impediment or hinder to our said effaund joyring in the said common cause, but to lye over and be misken'd, till they be orderly removed, and taken away by the Order under-specified. To the which time, we for the better furtherance of the said Cause and Service, have assured, and by the tenour hereof, every one of us taking the burden upon us for our selves, and all that we may let assure each other to be unhurt, unharmed, or any ways to be invaded by us, or any our aforesaid for old Feid or new, otherwise than by ordinary course of Law and Justice; neither shall we or any of our foresaid, make any Provocation or Tumult, Trouble or Displeasure, to others in any sort, as we shall answer to God, and upon our Honours, and Fidelity to His Majesty. And for our further and more hearty Union in this Service we are content and consent, that all whatsoever our Feids and Variances fallen, or that may fall out betwixt us, be within forty days after the date hereof amicably referred and submitted to seven or five indifferent Friends, chosen by His Majesty of our whole number, & by their moderation and arbitrement compounded and taken away. And finally, that we shall neither directly nor indirectly separate or withdraw us from the Union and Fellowship of the remanent by whatsoever suggestion or private advice, or by whatsoever incident regard, or stay such resolution as by common deliberation shall be taken in the premises, as we shall answer to God upon our Consciences, and to the World upon our Truth and Honours, under the pain to be esteemed Traitors to God and His Majesty, and to have lost all Honour, Credit, and Estimation in time coming. In witness whereof, by His Majesties special Command, Allowance, and Protection promised to us therein, we have subscribed these presents with our Hands at 1589.*

The Marquis finds the Bishops jealous of him.

The Marquis being thus again dispatched took journey to Scotland, and at Ferrybridge he met the Bishops, to whom he signified His Majesties Pleasure, at which they seemed infinitely grieved, and spoke against it with so great vehemency, as clearly told they were no way pleased with



with the Marquis: yet they resolved to keep the Assembly, and in the mean while to send one of their number to Court, to which he gave way. The Archbishop of S. Andrews seemed willing on a good Composition to quit his Place of Chancellour, and the Marquis offered him 2500 *l. Sterling*, with which he was satisfied.

Hitherto the Marquis had wrestled against the Malice and Jealousies of the Covenanters, and now Storms begun to rise from another Hand, which ceased not to persecute him to his Grave: but the Truth of this Narration will best discover both their Injustice who charged him, and his Innocence.

He holding on his Journey came to *Holyroodhouse* on the 17<sup>th</sup> of September, where he found Jealousies beginning to arise betwixt some of the wiser Ministers and the Lords of the Covenant, concerning the Lay-ruling-elders, which he was resolved to cherish with all the Art he was master of; causing some represent to the Ministers, that if they gave way to that inordinate Power Gentlemen were pretending to in Church-matters, it might end in a greater Servitude than any they had ever reason to fear from either King or Bishops: this was well considered by many, but they were over-ruled. He also found the Covenanters were ready immediately to have indicted an Assembly, if he offered at any more delays; and therefore resolved to give them present satisfaction. But his first Work was to deal with the Lords of the Council, most of whom he found abundantly satisfied with His Majesties Gracious Offers: so that he began again to gather some hopes, and to the first accounts he gave His Majesty he had the following Return.

Hamilton,

**I**F I should be too long silent, I might seem to contradict that Rule which myself prescribed; therefore, though for the present I can say nothing of the main business, yet this must go if it were but to acknowledge the receipt of your two, viz. of the 12<sup>th</sup> of September from Ferribridge, and of the 17<sup>th</sup> of the same from Holyroodhouse. So referring you to the Comptroller for what concerns the Ordinance that is to be transported to Hull, I rest

Hampton-Court;  
22 Sept. 1638.

Your assured constant Friend,

CHARLES R.

Upon the 20<sup>th</sup> of September the Covenanters sent to ask the Marquis when they might wait on him to know His Majesties Pleasure: he answered, when they would; for he was resolved to hold a Council next day, and the day following to publish it. So on the 21<sup>th</sup> in the morning they came to him: he told them he was going to Council to make His Majesties Pleasure known, which should be also known at the Cross next day; but for their present joy he told them, that the King had granted all they had desired, and more also, and that a free Assembly and Parliament should be immediately indicted. Some did hang their heads, and seemed surprized; yet they expressed thanks. He also spoke frankly

The Marquis lets the Kings intentions to be known,

*An.* 1638. frankly to some of them, telling them what the particulars were which His Majesty had granted; for having opened them to so many Privy Councillours, he could not think but all was known to them. They seemed reasonably well satisfied, onely they pressed him to desist from renewing the Confession of Faith; for they clearly saw that this could not but take off a great many, and would heal most of the Subjects of the Jealousies they had been infusing in them: but he resolved to hear of no delay, having made most of the Councillours sure before-hand, and that by Oath. The Council sat in the afternoon, and it was a very frequent Meeting. After they were set, the Marquis with all the Art and Industry he could think of, laid out His Majesties Gracious Intentions for the Preservation of the true Reformed Religion, and the Laws and Liberties of that Kingdom; and that for the saving it from utter ruine, and keeping of peace in the Land, he had done many things to which he had never been induced to have given way, except out of that Consideration.

He proposes  
the matter in  
Council,

which was  
there debated  
at length,

Then was the Kings Letter to the Council read, which was of the same strain with the Instructions, after which there was a general silence. But the Marquis (not willing that should last long, much less that any whose affection he suspected should begin the Discourse) desired *Traquair* to speak, who spoke (as he used to do) both long and well. After that he called up ten or twelve of whom he was most assured, who expressed their satisfaction to the full. Then he pressed it might be put to the Vote, but some desired they might proceed more maturely, since it was a Confession of Faith they were to sign. This could not be refused, and so was followed by a long debate, and in end many desired, they might not be put to sign it that night. The Marquis remembring the Disorder had followed upon the last Act, and resolving not to run such a risque again, said, he did not desire it should be signed that night, but that they should be ready for it next morning; withall protesting, he would have none sign it, but such whose Consciences were satisfied, and who were ready to hazard Life and Fortune in the prosecution of it: and so after he had caused Registrate His Majesties Letter, they rose about ten a clock at night.

Most part of that night he spent in labouring those who had Scruples, and consulting with such as were well affected.

and much op-  
posed by the  
Covenanters.

In the morning the Clerk-Register and Kings Advocate came to draw the Forms of indicting the Assembly. The Kings Advocate seemed unwilling it should be according to the style used in King *James* his latest times, but he was over-ruled. About six in the morning the Earl of *Roths*, and many of the Covenanting Lords, desired access; and the Marquis calling as many of the Council together as could be had of a sudden, admitted them. *Roths* in the name of the rest said, they heard the Council were to sign the old Confession of Faith, and to publish a Declaration thereabout, which they desired might be delayed till Monday next, and then they doubted not to be able to give good reasons why they should not doe it. The Marquis replied, he should return them an Answer by the advice of the Lords of the Council quickly; and from them he went to Council, being firmly resolved to admit of no delay, knowing that it was sought on design to divide the Council. The Covenanters upon their Petition were called in to the Council, and they raised a long Debate which lasted about four hours, and in the end

no



no delay was granted, at which the Covenanters were infinitely discontented, and went away not without some big words. At length after three hours more debate amongst the Councillours, it was carried without a contrary voice, that the Confession should be presently signed: next, the Proclamation of Grace was ordered to be published, with another for indicting an Assembly at *Glasgow* the 21<sup>th</sup> of *November*, and another for a Parliament at *Edinburgh* the 15<sup>th</sup> of *May* next: then they passed an Act, declaring their full satisfaction with His Majesties Concessions, together with a Letter of Thanks to His Majesty, expressing their full satisfaction, with large Engagements to adhere constantly to His Service; and so they rose at four a clock, having sate from seven in the morning.

The Proclamations were immediately sent to the Cross, which there met with Protestations: but many judged they went upon Grounds so weak, that it was visible they were designed for no other end, but to keep the People from being satisfied, and to hinder the Subscription of the Confession and Bond. Many of the Council were displeased with the Protestation, and swore to the Marquis, that since Religion was now secured, they would appear in another manner for the Kings Interest; but all he could do could not persuade them to pass a Censure upon the Protestation as Seditious. Next, there were Commissions given out for the Shires to seek in Subscriptions to the Confession of Faith; and the Earl of *Rothes*, and some other Covenanters were joyned in the Commission for the several Shires: which was censured by many, but most of all by the King himself, who knew not how to construct of this, as will appear by a Letter which will be inserted in its place. But most of the Councillours were earnest for it upon these Reasons, that it gave these Lords a fair opportunity of retreating if they would accept of it; it might also confirm all that the Kings Indemnity was designed to be Real, when such persons were so soon trusted: it might give some Jealousie to the other Covenanters against those who were so trusted, as if under-hand they had given some Engagements. But chiefly the Body of the People would be very much persuaded that the thing was designed in earnest, when they read those Names in the Commissions. Upon these Grounds the Marquis yielded to the desires of the Councillours, and the King was fully satisfied when he was informed about it; which will quickly appear. Upon the notice His Majesty had of what passed, he wrote the following Letter.

Hamilton,

I Have no time now to make my observations upon your Proceedings, therefore now I shall onely tell you that I approve them all, (in what concerns your part of them;) and that not onely so, but that I esteem it to be very great Service (as the times are.) This much I thought necessary at this time to encourage you in your Proceedings: my next shall be longer, yet this is enough to assure you that I am

Hampton-Court  
30 Sept. 1638.

Your assured constant Friend,

CHARLES R.  
This

M

Av. 1638.  
The Council  
left satisfied  
with His Majesty's offers;

yet the Covenanters protest.



An. 1638.

The Marquis apprehends the design against Episcopacy.

This being done, the Marquis his next Work was to preserve Episcopacy, which was in visible hazard, since the worst-affected every where were chosen Commissioners for the Assembly: and of this he advertised the King, desiring him to go on with his Preparations for fear of the worst: and particularly he remembered him of the Resolution he had taken about *Berwick*, which was, that because Souldiers could not be levied in *England*, and sent thither, without making a direct Breach; therefore a thousand and five hundred Souldiers should be levied in the Prince of *Orange* his Name in *Holland*, and these be suddenly shipped, and as suddenly landed at *Berwick* for securing of that place. But withall he advertised His Majesty to go on with much secrecy, lest the Covenanters might take the start of him; and therefore he advised the stopping of a Magazine that was to be sent to *Hull*, which since it was not presently to be made use of, he thought might lie as well in the Tower of *London* as there. And to this Dispatch he had the following Answer.

Hamilton,

I See by yours of the 27<sup>th</sup> of September, that the Malignity of the Covenanters is greater than ever, so that if you who are my true Servants do not use extraordinary Care and Industry, my Affairs in that Kingdom are likely rather to grow worse than better: therefore, you that do your endeavours accordingly deserve the more praise, and your opposers the more punishment; and in my mind this last Protestation deserves more than any thing yet they have done, for if raising of Sedition be Treason, this can be judged no less. And methinks if the Colledge of Justice have signed my Covenant, (which I hope they have, because I hear nothing in the contrary) it were no impossible thing to get them to doe me Justice in this particular. And this I will say confidently, that until at least the Adherers to this last Protestation be declared Traitors, nothing will go as it ought in that Kingdom; I say this not to alter your course, but onely to shew you my opinion of the State of Affairs.

As for the danger that Episcopal Government is in, I do not hold it so much as you doe; for I believe that the number of those that are against Episcopacy (who are not in their hearts against Monarchy) is not so considerable as you take it.

And for this General Assembly, though I can expect no good from it, yet I hope you may hinder much of the ill; first, by putting Divisions among them concerning the Legality of their Elections, then by Protestations against their Tumultuous Proceedings. And I think it were not amiss if you could get their Freedom defined (before their Meeting,) so that it were not done too much in their Favours. And I hope you will remember to weigh well the Propositions for the Assembly

bly, and send them up to me with all convenient speed. I have se-  
conded your Letter to the Major of Newcastle for the freeing of these  
Horses, and have stopped all Provisions according to your advice at  
Hull; yet methinks now they may be avowed to go against those that  
will not rest satisfied with what you have lately done in my Name.  
But in this I assure you that I take your advice; and so I rest

Hampton-Court,  
20 Octob. 1638.

Your assured constant Friend,

CHARLES R.

Now the Covenanters were not idle; and two Stories were at this  
time not a little talked of. The one was about one Mistress *Mitchelson*,  
who was judged a devout person; (a zealous Covenanter she was) she  
was troubled with Vapours, and, as is incident to persons in that con-  
dition, spoke as one transported, and most of all her Raptures were a-  
bout the Covenant: she did also inveigh severely against the late Act  
for signing the Confession of Faith. This was highly magnified, and she  
was spoken of as a person inspired of God, and her words were recited  
as Oracles, not a few taking them from her mouth in Characters. Peo-  
ple of the best Quality came to see her in her Fits, and she was brought  
to the house of a noted Covenanter, and laid in a large Bed-chamber,  
which was always crowded to the doors; she was called an Impostress  
by many, but those who understood Nature better, knew the root of  
her Distemper, which to have called so at that time had met with a  
high Censure: though, it afterwards abating, they were willing to de-  
fend it under that notion, and counted them favourable who believed  
no worse of it.

The other Story was of one *Abernethy*, who from a Jesuit Priest  
turned a zealous Presbyterian; and had learned so much Filth in  
the Jesuits School, as to forge a Story of the Liturgy of *Scotland* being  
sent to *Rome* to some Cardinals to be revised by them; and that *Signior*  
*Con* had shewed it to himself there. Upon the report of this, the Mar-  
quis wrote to *Con*, who was then at *London*: but *Con* protested seri-  
ously, he never so much as had heard of a Liturgy designed for *Scot-*  
*land*, till he came last to *England*; that he had never seen that *Aber-*  
*nethy* at *Rome*, but once, and finding him light-headed, had never a-  
gain taken notice of him: yet *Abernethy's* Story had a ready belief, as  
well as a welcome hearing; though the lightness and weakness of the  
man became afterwards so visible, that small account was made either  
of him or his Story, which at this time took wonderfully.

Upon the 24<sup>th</sup> of *September* a new debate arose in the Council, which  
had almost set all wrong again. Some at the Board, whose hearts were  
with the Covenanters, moved that it might be declared, That matters  
of Discipline and Ceremonies were points of Faith; this was at length  
debated and determined in the Negative. The Marquis his next care  
was, to write to all the Kings Friends through *Scotland*, that they  
might see His Majesties Proclamation published, and get in as many  
Subscriptions to the Confession of Faith as was possible, and do their  
utmost to see that the Elections of the Commissioners to the Assembly

The pretend-  
ed Prophetess.

A Jesuit turns  
Presbyterian.

The Kings  
Proclamation  
published over  
*Scotland*.

*An.* 1638. might be well considered: but in none did he confide more, and to none did he write more freely than to the Marquis of *Huntley*, who expressed great zeal for His Majesties Service, of which he gave the King a full account; and as he saw cause, he moved His Majesty to write divers Letters for encouraging all His good Subjects. The Doctors of *Aberdeen* were also much cherished by him, and very kindly recommended to the King; neither was any thing omitted that might cherish such as he saw well-affected to His Majesties Service. He caused also draw a Remonstrance against Lay-elders, and sent it through the Country, to get as many Ministers Hands to it as was possible against the Sitting of the Assembly. He was likewise very earnest with the Doctors of *Aberdeen* to have come to *Glasgow* to the Assembly, finding them the only persons then in *Scotland* fit for undertaking the defence of *Episcopacy*; he was to have sent one of his Coaches to the North for them, but that Road being always bad for a Coach, was unpassable in Winter; and the Doctors were so extremely averse from coming, that he could not importune them any further, since he saw it was resolved, that though an Angel from Heaven should come to plead for *Episcopacy*, all would be rejected. He also discovered the Prelimitations which the *Tables* were setting on the Assembly, by the Orders they sent through all the Presbyteries, both about Lay-elders, and that none should be chosen save Covenanters, and chiefly those that were able to argue on those Heads that were under debate. In the mean time he went home to *Hamilton*, to get those of *Cliddisdale* to sign the Confession, the Justice-Clerk having gone before him to *Glasgow*, and published the Proclamations there; but he himself met with more difficulty in *Cliddisdale*; yet he overcame most of them, though they had been strangely wrought upon to resist him: of all which having given the King an Account he had from Him the follow-Letter.

The Marquis does all was possible to prepare things for the Assembly.

*Hamilton,*

**I** Confess this last Dispatch does more put me to seek how to judge of the Affairs of that Kingdom, than any that I have yet received; for I did not think that you would have met with so much opposition within your bounds, since (as I thought) you past well over a greater difficulty, to wit, the Peevishness of the Council. The cause of this I judge to be, that you did not make so much opposition against the Protestation as it deserved, though (I believe) as much as you could. But one thing I desire you to send me the reason of, which is, why you have mingled the Protesters with my good Subjects, as Commissioners in most of all the Shires, for the procuring of Subscriptions to my Bond: now it seems to me, that this will make the Covenanters oppose my Service with a shew of more Authority than otherwise they could, (and certainly you cannot but imagine, that they must oppose that that they have protested against;) for by this the ignorant Multitude may be brought to believe, that my Council have either

ad-



admitted, or at least do not gainsay, the Protestation : yet whether *An. 1638.*  
 I be right in this or not, I will suspend my Judgment, even of my  
 own Opinion, until I hear from you. But one thing I will confident-  
 ly affirm, that until most of the Council express themselves vigo-  
 rously in detestation of this last damnable Protestation, never look for  
 any Obedience there. In the latter end of your Letter, you are very  
 careful not to give them cause of Fears of my Preparations, or hinder-  
 ing theirs ; yet in the middle persuade to hasten on Mine : now, be-  
 sides that this seems to me a Contradiction, I think that there is as  
 much (if not more) danger now, that they should imagine I fear to  
 displease them, than to make them fear at my Preparations, or for  
 stopping of theirs ; for now that the pretext of Religion is (I dare  
 say) fully satisfied, fearful Proceeding now may hazard the loss of the  
 little Party we have, by making them probably fear, that I either  
 cannot, or dare not maintain my own Authority. But I doubt not  
 your Dexterity and Diligence will help me to break through these  
 difficulties, and so I rest

Hampton-Court,  
 9 Octob. 1638.

Your assured constant Friend,

CHARLES R.

This Letter seems of another strain than the former; but as soon as  
 His Majesty was informed of the Reasons, which were given in the  
 former account of the Proceedings of the Council the 22<sup>th</sup> of Septem-  
 ber, which were forgotten by the Marquis in the long Dispatch, he  
 then sent, he was well-satisfied, as will appear by His Letter bearing  
 date the 24<sup>th</sup> of October to be inserted in its due place.

Many every where did at first offer to sign the Confession, and the  
 Covenanters seeing an inclination in most persons to return to their  
 Duty, forgot nothing could be devised, to fill the Peoples minds with  
 new Jealousies, as if the King were but abusing them, and intended  
 the performance of nothing that was promised; all being done only to  
 to evite the present Storm, which would be no sooner calmed, but they  
 might expect worse Usage than ever: and with this they added a great  
 many Reasons to persuade all, that it was Perjury for such as had ta-  
 ken the Covenant, to sign the Confession. And the sins of Scotland  
 being so great, that they were to be punished with a tract of bloody  
 Civil Wars, God in his holy and wise Judgments permitted the poor  
 People to be so blind in their Obedience to their Leaders, that these  
 Arts took universally with them; to which may be justly imputed all  
 the mischiefs that Kingdom hath smarted under ever since.

The Covenanters were no less careful to see well to the Elections for  
 the Assembly, the Ruling-elders coming to all the Presbyteries, and be-  
 ing of one knot, and men of power, carried the Elections as they plea-  
 sed; for there being an Elder out of every Parish, they equalled the Mi-  
 nisters in number, but exceeded them when the Election was voted, all  
 the

The Covenan-  
 ters do much  
 oppose the  
 signing King  
 James his Co-  
 venant.

Great disor-  
 ders in Electi-  
 ons.

An. 1638. the Ministers who were on the List, and were ordinarily six or seven, being removed; yet in many Presbyteries Protestations were used against them by some Ministers. The Marquis seeing how things were carried, and having Informations from all places of the unlucky Elections, begun to draw up the Nullities of the Assembly, sending the particulars to the King as he had them; advising him withall to go on more frankly with his Preparations, since he saw it impossible to prevent a Rupture at Glasgow. And it was now apparent to him, that the Factious Spirits among the Gentry and Ministry were resolved to receive no satisfaction from any thing the King could offer, how just and rational soever.

The Kings Declaration was published through all the Shires in Scotland; in some it met with Protestations, but in other places the Marquis his diligence in sending the Commissions for it had prevented the Tables.

Most of the Councillours were slack in procuring of Subscriptions, yet in all there were twenty eight thousand Subscribers; of which number those the Marquis of Huntley procured made twelve thousand.

The Bishop and Doctors of Aberdeen subscribed the Kings Covenant.

But I should be injurious to the Memory of the Bishop and Doctors of Aberdeen, did not I mention how they signed the Confession, it being presented to them by the Marquis of Huntley. The matter is little known, and the Original is in my hands, therefore it will not be unpleasant that I relate how they signed it with these seven Restrictions, which I shall set down in their own Words.

*First, we do heartily abhor and condemn all Errours truly Popish, or repugnant to the Holy Scripture, and consequently to the Uniform Doctrine of the Reformed Kirks, and to our National Confession registred in Parliament An. 1567.*

*Secondly, we do now ways hereby abjure or condemn Episcopal Government, as it was in the days, and after the days, of the Apostles in the Christian Kirk for many hundreds of years, and is now conform thereto restored in the Kirk of Scotland.*

*Thirdly, we do not hereby condemn nor abjure the Five Perth Articles, or any thing lawful of that sort, which shall be found by the Church conducive at any time for good Policy and Order, or which is practised by any sound Reformed Kirk.*

*Fourthly, we still hold to that Clause of our great National Confession, (chap. 20. art. 21.) that the General Councils, and consequently the National Kirk of Scotland, have no power to make any perpetual Law which God before hath not made.*

*Fifthly, by the adhering to the Discipline of the Reformed Kirk of Scotland, we mean not any immutability of that Presbyterial Government which was An. 1581. or of any other Humane Institution: but we do hereby understand that the Ecclesiastical Jurisdiction and Discipline of the Kirk of Scotland doth not depend on the Pope of Rome, or any other Foreign Power; and hereby we do confess our constant Obedience to the Kirk of Scotland in all her lawful Constitutions.*

*Sixthly, we do not presume by this our personal Oath either to prejudge the liberty of the Kirk of Scotland, to change and reform this foresaid short Confession, in some ambiguities and obscure expressions thereof, whereupon some men have builded inconvenient Interpretations and Doctrines, or to exime our selves from Obedience to the Kirk in that case.*

*Seventhly,*

Seventhly, by this our personal Oath we do not take upon us to lay any further *An.* 1638.  
Bond upon our Posterity, than the Word of God doth, recommending onely our  
Example to them, so far as they shall find it agreeable to Gods Word.

In this sense as is said, and nootherwise, do we subscribe the said Confessi-  
on, and the general Bond annexed thereunto, at Aberdeen Octob. 5.  
1638.

Signed,

Ad. Aberdonen.

John Forbes D. and P. of Div.  
R. Barrone D. and P. of Div.  
Al. Rosie D.D.

Ja. Sibbald D.D.  
Al. Scrogie D.D.  
Wil. Lesley D.D.

These Explanations were too just not to be accepted of by the Marquis of Huntley; but lest an humour of annexing Explications might have run through others from their example, which might have not onely retarded the Work, but occasioned new Grounds to the Covenanters to quarrel this Confession, he kept the matter secret, and took their Subscription in a Bond apart, and so sent it to the Marquis. But leaving to the Reader to judge how judiciously cautious these Exceptions were, I quit this Digression and go on.

From all places some Subscriptions were brought, except from *Argyle-shire*, my Lord *Argyle* alledging, that since the Assembly was so near, all desired to be excused till it had sate and determined about it. This confirmed the Jealousies of him, it being well known how absolute his Authority was in that place.

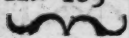
The Marquis returned to *Edinburgh* about the 20<sup>th</sup> of *October*, but was much disordered to find neither my Lord *S. Andrews*, nor the other Bishops, come thither as he had appointed; so that he was left destitute of Council how to resolve on the legality of his Procedure at the Assembly: yet having advised with such as he durst trust about the Method in which he was to go on at *Glasgow*, he drew it up, and sent it to my Lord of *Canterbury*, to communicate it to His Majesty. Likewise those Bishops who stay'd in *Scotland*, having pressed him earnestly to prorogue the Assembly, foreseeing what was like to follow on it, he advertised His Majesty of the hazards which on the one hand were visible; but on the other hand, if it were prorogued it would not fail of fortifying the Jealousies the Covenanters had spread, as if the King intended not to observe what he promised; which might work much on the Vulgar. Besides, he saw grounds to fear, that most of the Council would desert him if it went to that; and certain it was, that the Covenanters would not obey, but keep the day onely with this odds, that they would hold it at *Edinburgh*: he therefore judged it fitter the day should be kept, and His Majesties Gracious Offers first proposed, and next the Nullities of the Elections examined, and then the Bishops Declinator offered; and by that time there was no reason to doubt they would give too good grounds for dissolving them. All this he submitted to His Majesties Judgment, adding, that if he thought fit to prorogue it, there were grounds enough from the Actions of the Covenanters for justifying it, but a present Rupture would be unavoidable; to which he received the following Answer.

Some advise to  
prorogue the  
Assembly.

Hamilton,



An. 1638.



Hamilton,

**Y**ou will receive a particular Answer by my Lord of Canterbury of all your Propositions touching the Assembly, wherein you will find that my Alterations are rather circumstantial than material. As concerning the way of your Proceeding, though I confess of importance to my Service, you foreseeing rightly what my Judgment would be of them; yet I dare say, I have left them as full as any of my Proclamations or Declarations, and why I should go further I see no reason; for certainly those that will not be contented with what I have done already, will be less contented if I should do more. As for the Opinions of the Clergie to prorogue this Assembly, I utterly dislike them, for I should more hurt my Reputation by not keeping it, than their mad Aëis can prejudice my Service; wherefore I command you hold your day: but (as you write) if you can break them by proving Nullities in their Proceedings, nothing better. Lastly, concerning Assessors, I like their Names, and (as you say) you must not suffer me to lose my Privilege. To conclude, I like your way well, and hope (upon consideration) that you will not mislike my Alterations; for I will make none in being

Havearing,  
29 Oct. 1638.

Your assured constant Friend,

CHARLES R.

The Covenanters summoned the Bishops to the Assembly.

In the end of *October* the Earl of *Rothes*, with the other Covenanters, petitioned for a Warrant to cite the Bishops to appear before the Assembly: the Marquis answered, the Law was patent, and there were legal ways for citing all such as were either within or without the Country; but for him to give Warrants, it had never a President, and so could not be granted; for it was enough that he did not protect them against a fair Trial: whereupon the Covenanters addressed themselves to the Presbytery of *Edinburgh* for it, who gave Warrant for the most scandalous Summons that was ever heard of in the Christian Church, which is to be seen in the large Declaration, wherein all the Bishops were cited as guilty of Heresie, Simony, Perjury, Incest, Adultery, Fornication, Breach of the Sabbath, and what not! to which they added *respective*, which many said was on design to abuse the poor Vulgar, who could not understand the importance of that Law-term, but would undoubtedly believe them all guilty of these Crimes. This was ordered to be read in the Churches of *Edinburgh*, but carried so secretly, that it was onely on the Saturday-night before that the Marquis had notice of it; whereupon he presently sent to require them under pain of Treason to forbear, but that was not formidable to them: so notwithstanding that, it was read in the Colledge-Church of *Edinburgh* after Communion, and ordered to be read in all the Churches over *Scotland*, and accordingly done.

They

They sent also Orders through all *Scotland* to search into the Bishops *An. 1638.* Conversations, that all their escapes being gathered together, and Witnesses being cited to *Glasgow*, they might find pretexts of Justice to second the fervour of their Zeal.

Upon the first of *November* the Session sat down at *Edinburgh*, and the Marquis having dealt with all the Lords of that Court before, went thither to get them to sign the Confession of Faith: some desired a delay, and this raised a Debate of three hours; at length nine of the fifteen signed it, two were absent, and four refused: but those who signed it durst hardly walk the Streets, so odiously had the Ministers represented the Confession to all.

The Session sits, and most of the Lords sign the Kings Covenant.

At this time the Marquis got the Earl of *Marre* to resign the Castle of *Edinburgh* to the King: five thousand pounds *Sterlin* was that he demanded for it, but he was brought to accept of two thousand; and because the Earl of *Marre* would not meddle with the Exchequer for payment, the Marquis gave him Security out of his own Estate for it; and at the same time the Archbishop of *S. Andrews* resigning the place of Chancellour, he gave him also Security for two thousand five hundred pounds *Sterlin* out of his own Fortune: so ready was he to go through with His Majesties Affairs, and to hazard the ruine of his Fortune and Family; for the Treasury of *Scotland* was so entirely exhausted, that there was no Money in it. And though no Payments were made the Marquis for the great Expence he was at, yet in all his Letters to the King he never once complained of it; nor did he press the King to send him Money, except only ten thousand pounds *Sterlin*, which he earnestly called for to distribute among the Bishops, and other poor Ministers who were ruined for their Duty to the King; and though this was not sent, he suffered none of them to be pinched, but supplied them in all their straits, for which the Bishops made great Acknowledgments not onely to himself, but to my Lord of *Canterbury*, who returned him many thanks in their Names. Concerning all these particulars His Majesty wrote to him the following Letter.

The Castle of *Edinburgh* in the Kings hands.

Hamilton,

**T**He Letter that Ro. Lesley gave me this day from you, though it be long, yet will require but Answer by me in two particulars; (the rest you will find answered by my Lord of *Canterbury*) to wit, the Castle of *Edinburgh*, and the Supply of Money to the Bishops. To the first I totally agree, both for the Man to be put into it, and the Summe of Three thousand pounds *Sterlin*, if you can draw it no lower; for the other, I cannot say how soon I shall be able to doe it, Expence daily increasing, and in particular the securing of *Berwick* and *Carlisle* being of necessity to be done (as you know) in the middle of the next Moneth. But I hope in God at furthest before Christmas, yet I cannot promise it with that secrecy that would be wished: for I find the way by the Prince of *Orange* both unpracticable

An. 1638. cable and unsafe. So both pitying and praising your Pains in my Service, I rest

Whitehall,  
8 Nov. 1638.

Your assured constant Friend,

CHARLES R.

*Ruthwen made  
Governour,  
but the Castle  
is ill furnished.*

Having got the Castle of *Edinburgh* into his hands, he advised the King to trust Gen. *Ruthwen* (who had returned from the *German Wars* loaded with Fame) with the keeping of it; to which His Majesty consented. And this may sufficiently clear the Marquis of all other Designs, but those his Duty inspired him with; since to the greatest Trust in *Scotland*, considering those Times, and the Command that Castle hath over *Edinburgh*, he recommended one whose Loyalty was as invincible as his Courage. But the Marquis having visited the Castle, found it in the worst case imaginable, not a Musquet but one in it, and it not for Service: very little Powder, and not a Yard of Match. The buying the Command of the Castle made so great a noise, that he durst not proceed to the furnishing it with Men, Victuals, and Arms, all which were wanting, till the first Heats were over, and the Body of the Covenanters had gone to *Glasgow*; for besides that they set Guards about it, had they set upon it, they would have infallibly carried it, by starving them within, who were able to doe them no hurt. *Ruthwen* would not go to the Castle till it were better furnished, neither did the Marquis think fit to change the Captain of it too soon. But finding him no Covenantant, and having taken his Oath in writing, which is yet extant, never to surrender it but with his Life, he laid down the best course he could for furnishing it; which he got no opportunity to doe, as we shall see hereafter.

*Bishop of Ross  
comes from  
London.*

Now was the Bishop of *Ross*, whom my Lord *S. Andrews* and the other Bishops had sent to *London*, dispatched home again, who brought with him the following Letter from His Majesty.

Hamilton,

I Would not answer your two of the 14<sup>th</sup> and 15<sup>th</sup> of this moneth till I had fully dispatched the Bishop of *Ross*, whom I have sent away not onely well instructed, but well satisfied with my ways. It is true that his Instructions were not totally according to our Grounds, but I made him alter (I am confident) as well in Judgment as Obedience; for upon discourse he much approved of my Alterations, confessing likewise, that you upon the place may find reason to make more; wherefore all is referred to you, as well what I answered, as what not: so leaving and recommending him to your care, I come to answer your last Letters, with the account of which I am much more satisfied than your other Dispatch before; as likewise you have fully satisfied me in all my Queries, and in particular I confess clearly, you had reason to joyn the Covenanters with my honest Ser-



Servants, for procuring of Subscriptions to my Bond, because I see the Council would have it so. But certainly it had been better otherwise, if you could have done it with their consent. In short, I am truly and fully satisfied with all your Proceedings, so that you may be confident that I am

Whitehall,  
24 Octob. 1638.

Your assured constant Friend,

CHARLES R.

The draught of the Bishops Declinator was revised by the King, and His Majesty made divers Observations and Amendments with his own Hand, yet extant: which Paper, though not so clearly to be understood, unless the first draught of the Declinator were to be set down with it, which is not in the Writers power; yet may give some satisfaction, and at least will both shew how tender His Majesty was of any thing which might give new Irritations to his distempered Subjects; and how diligently himself reviewed all Papers.

The Kings  
Observations  
on the Bishops  
Declinator.

### His MAJESTIES Observations upon the Declinator.

CHARLES R.

**T**He second reason to be advised with my Lord Commissioner, whether or not it be safe at this time to except against the Form of the Publication of the Indiction of the Assembly.

I.

The third is a very good reason against the Proceeding of the Assembly, but will not infer a Nullity.

II.

In all the reasons where the Assembly is called a pretended Assembly, it is His Majesties Pleasure, that the word pretended be deleted out of the Copy shewed to His Majesty.

III.

For the seventh reason, if it offend not the inferiour Clergie, His Majesty is contented with it.

IV.

In the ninth reason, to omit the precondemning of the Service-book, Book of Canons, and High Commission.

V.

The tenth reason is so full that the eighth may be totally omitted.

VI.

The eleventh reason militates abundantly against all those who hold such Tenets, that they cannot Voice in the Assembly, though it infer not an absolute Nullity of the Assembly.

VII.

The thirteenth de loco tuto, & accessu tuto, to be totally omitted.

VIII.

The fourteenth and last to be totally omitted.

IX.

In the conclusion there is one clause marked by His Majesties own Hand, which is to be omitted.

X.

Whitehall, 19<sup>th</sup> October, 1638.

N 2

The

*An. 1638* The Marquis having got clear Directions in every particular, (for not so much as the Speech he was to have at *Glasgow* but was sent up, and returned with the Kings Supercription, a few lines of the first draught being onely dashed out by His Majesty;) he resolved to set out for *Glasgow* on the 16<sup>th</sup> of *November*. But before he went he declared in Council, that His Majesties positive Pleasure was, that Episcopacy might be limited, but not abolished; and delivered them a Letter from the King, commanding them to follow him to *Glasgow*; and required the Kings Advocate to prepare himself to defend Episcopacy to be according to the Laws of *Scotland*, he answered, that it was against his Conscience to doe so, and that he judged Episcopacy both contrary to the Word of God, and to the Laws of this Church and Kingdom. This brisk Answer, though it was no surprize to the Marquis, put his temper to a greater trial than any thing he met with in *Scotland*: he threatned him with taking his Place from him, but he answered him boldly, that his Right to it was ratified in Parliament. So he could do no more for that time but command him not to come to *Glasgow*, which he obeyed.

The Marquis  
goes to *Glas-*  
*gow*.

On the 17<sup>th</sup> of *November* the Marquis came to *Glasgow*, and thither came to him a Letter from the Bishops of *Ross* and *Brechin*, whom he left in *Hamilton* till he had opportunity of conveying them securely to the Castle of *Glasgow*, which he did. The night after he received the Letter that follows.

May it please your Grace,

What came from my Lord *S. Andrews* is herewith enclosed. We humbly and heartily thank your Grace for your excessive favour and kindness towards us; we must take it the more kindly, that we know at such a time it is to let others see what respect your Grace carries to our Coat: for our selves we could more willingly chuse a more sober diet and less ease; considering our own Sins, and the difficulties of the Times, do admonish us rather to fast than feast, to afflict our Souls rather than to relish any worldly pleasure. But above all we two for our selves, and in name of our Brethren, do with most thankful hearts acknowledg your Graces most pious care of the Liberties of this poor distressed and distracted Church; and especially the sollicitude and care your Grace hath, that our Protestation be orderly done, secretly kept, and seasonably presented, before either the Cause, or we that are Bishops, suffer wrong. It is that which now concerneth us most and is dearest to us, both for Conscience before God, and our credit to the present Age and future; and we cannot express how happy we are to have in this Exigent such a Pious and Noble Patron, careful and sollicitous with the most tender affection both of our Cause and Persons, where otherwise (with the greatest loss, at least hazard, can be, to discharge our Duty to God and his Church) we should be necessitated to doe it our selves, and haply neither with so much safety nor honour. God will reward your Grace we are confident, and bless your Grace and yours; for we dare aver in this Division your Grace hath made choice of the better part. The Difficulties are great, the Hopes none, but too pregnant Fears to the contrary; yet it is the more like to be Gods Cause, that his Work may appear: and it may be called digitus Dei, and marvellous in our eyes. Mans extremity is Gods opportunity.

We have given Doctor *Hamilton* our best directions, which we submit humbly to your Graces better Judgement, to add and command what you think

think fit: he needs no more Deputation, but the inserting of his Name in the *Procuration*, which is in the close of the Declinator. Above all we have recommended to him, a care that it may be timeously presented; but in this we trust only to your Grace.

As we pity the Difficulties your Grace is cast into, so shall we be earnest supplicants to God Almighty, to bless and preserve your Grace in this and all other Services, wherewith God and His Majesty hath trusted you.

Your Graces most humble  
and bounden Servants,

Hamilton, Nov. 20.

1638.

John Rossen.

Wat. Brechin.

#### POSTSCRIPT.

What goes from my Lord of St. Andrews directed to me, I beseech your Grace to open and read for your own use.

Because of an ambiguous word which was in the Paper the Marquis was to offer in His Majesties Name to the Assembly, so strictly conscientious was His Majesty, that he wrote His sense of it in the following Letter that found him at Glasgow.

Hamilton,

**T**His is rather to give the reason of My Answer than the Answer it self, (you being to receive it at large by My Lord of Canterbury.) The truth is, that the same reason which made me blot out the whole Sentence before, hath made me desire to alter a word now; to wit, that I should not be thought to desire the abolishing of that in Scotland, which I approve and maintain in England, namely the Five Articles of Perth: now the word content expresse enough my consent to have them surcease for the present; but the word pleased, methinks imports as much as if I desired them to take them away, or at least were well-pleased that they should doe so. But I leave it to your ordering, so that you make it be clearly understood, that though I permit, yet I would be better pleased if they would let them alone; and so I rest,

Whitehall 21<sup>th</sup> of  
Novemb. 1638.

Your assured constant Friend,

CHARLES R.

At Glasgow the Marquis found the greatest confluence of People, that perhaps ever met in these parts of Europe at an Assembly. On the 21<sup>th</sup> they sate down; Mr. Bell Minister of Glasgow preached, as the Marquis had ordered. The Marquis judged it was a sad sight to see such an Assembly, for not a Gown was among them all, but many had Swords and Daggers about them: when they were set he as Lord Commissioner began with this Speech.

My



An. 1638.

*The Marquis  
his Speech.*

*My Lords, and the rest of this Reverend Assembly,*

“THE making of long Harangues is not suitable either with my Education or Profession, much less with this Time, which now after so much Talking ought to be a time of Action.

“I pray God that as a great (and I hope the worst) part of mens Spirits hath been evaporated into bitter and invective Speeches, so the best and last part of them may be reserved for Deeds, and these answerable to the Professions which have been made on all sides when this great Assembly should come.

“For the Professions which have been made by Our Sacred Sovereign (whom God long preserve to reign over us) I am come hither by His command to make them good to His whole People, whom to His grief He hath found to have been poisoned (by whom I know not well, but God forgive them) with misconceits of His Intentions, concerning the Religion professed in this Church and Kingdom. But to rectifie all such Misconceptions of His Subjects, His Majesties desire is, that before this Assembly proceed to any thing else, His Subjects may receive ample and clear satisfaction in these Points, wherein His Majesties gracious Intentions have been misdoubted, or glanced at, by the malevolent Aspects of such, as are afraid that His Majesties good Subjects should see His clear mind through any other Glasses or Spectacles, than those they have tempered and fitted for them.

“Those finistrous Aspersions, dispersed by surmizes, have been especially two; first, as if there had been in His Majesty, if not some Intention, yet at least some inclination, to give way, if not to Alterations, yet to some Innovations in the Religion professed in, and established by the Laws of this Church and Kingdom.

“I am confident that no man can harbour or retain any such thought in his breast any more, when His Majesty hath commanded that Confession of Faith, (which you call the Negative) to be subscribed by all His Subjects whatsoever, and hath been Graciously pleased to put the Execution of this His Royal Command in your own hands.

“The next false, and indeed foul and devilish Surmize, wherewith His good Subjects have been misled, is, that nothing promised in His Majesties last most Gracious Proclamation (though most ungraciously received) was ever intended to be performed, nay, not the Assembly it self; but that only Time was to be gained, till His Majesty by Arms might oppress this His Own Native Kingdom; than which Report Hell it self could not have raised a blacker and falser.

“For that part which concerneth the Report of the Intention of not holding the Assembly, this Day and Place, as was first promised and proclaimed, (thanks be to God) confuteth that Calumny abundantly; for the other of making good what His Majesty did promise in His last Gracious Proclamation, His Majesty hath commanded me thus to express His Heart to all His good Subjects.

“He hath seriously considered all the Grievances of His Subjects, which have been presented to Him, by all and severall of their Petitions, Remonstrances, and Supplications, exhibited unto Himself, His Commissioner, and Lords of His Secret Council, and hath graciously granted them all; and as He hath already granted as far as  
“could

"could be by Proclamation; so he doth now desire, that His Subjects *An. 1638.*  
 "may be assured of them by Acts of this General Assembly, and after-  
 "wards by Acts of Parliament *respective.*

"And therefore he not onely desires, but commands, that all the Particulars he hath promised be first gone in hand with in this Assembly, and enacted, and then afterwards what His Subjects shall desire being found reasonable may be next thought upon, that so it may be known to God and the whole World, and particularly to all His good Subjects, how careful His Majesty is to discharge himself of all His Gracious Promises made to them; hoping that when you shall see how Royally, Graciously, and Faithfully His Majesty hath dealt with you, and all His Subjects, you will likewise correspond in loyal and dutiful Obedience, in chearful but calm and peaceable Proceeding, in all other business to be treated of in this Assembly: and because there shall be no mistake, I shall now repeat the Particulars, that you may see they are the same which were promised by His Majesties first Proclamation.

To this I shall adde the Paper of His Majesties Concessions taken from the Original, wherein His Majesty had interlined and dashed out some things with his own Pen.

CHARLES R.

**T**He Kings Majesty being informed, that many of His good Subjects have apprehended, that by the introduction of the Service-book and Book of Canons, the in-bringing of Popery and Superstition hath been intended, is Graciously pleased to discharge the said Books, and to annul all Acts made for establishing thereof; and for His good People their further satisfaction, is Graciously pleased to declare by me, that no other in that kind shall hereafter be introduced, but in a fair and legal way of Assembly, allowed by Act of Parliament, and the Laws of this Kingdom. The Kings Officers to the Assembly.

The Kings Majesty, as he conceived for the ease and benefit of the Subjects, established the High Commission, that thereby Justice might be administered, and the Faults and Errors of such persons as are made liable thereto taken order with, and punished with the more convenience, and less trouble to the People: but finding His Gracious Intentions to be herein mistaken, hath been pleased, likewise he is Graciously content, that the same be discharged, with all Acts and Deeds made for the establishing thereof; and is pleased to declare by me, That that Court or Judicatory, nor no other of that nature, shall be brought in hereafter, but in that way allowed by the Laws of this Kingdom.

And the Kings Majesty being informed, that the urging of the five Articles of Perth's Assembly hath bred Distraction in the Church and State, hath been Graciously pleased to take the same into His consideration, and for the quiet and peace of Church and State, doth not onely dispense with the practice of the said Articles, but also discharges, and by these hath discharged, all and whatsoever Persons from urging the practice thereof, upon either Laick or Ecclesiastick person whatsoever: and doth hereby free all His Subjects from all Censure and Pain, whether Ecclesiastical or Secular, for not urging, practising, or obeying them, or any of them, notwithstanding any thing contained in the Acts of Parliament or General Assembly, to the contrary.

And because it is pretended, that Oaths have been administered to Ministers at their entry contrary; and differing from that which is set down in the Acts



An. 1638. *Acts of Parliament*, His Majesty is pleased to declare and ordain, that no other Oath shall be required of any Minister at his entry, than that which is expressly set down in the *Acts of Parliament*: and this He is content be considered of in the Assembly, to be represented to the Estates of Parliament, and enacted as they shall find expedient.

And that it may appear how careful His Majesty is that no Corruption or Innovation shall creep into this Church, neither any scandal, vice, or fault of any person whatsoever censurable or punishable by the Assembly, go unpunished, it is His Majesties Pleasure, likeas by these His Majesty does assure all His good People, that hereafter General Assemblies shall be kept as oft as the Affairs of this Kirk shall require: and to this purpose, because it is probable that some things necessary for the present Estate and Good of this Church may be left unperfected at this present Assembly, We do by these indit another Assembly to be holden at

And that none of Our Subjects may have cause of Grievance against the Procedure of Prelats, Our Pleasure is, that all and every one of the present Bishops, and their Successours, shall be answerable, and accordingly from time, to time censurable according to their Merits by the Assembly, which His Majesty is likewise pleased be enacted in this present Assembly, and thereafter ratified in Parliament.

And to give all His Majesties good People good assurance that he never intended to admit any Alteration or Change in the true Religion professed within this Kingdom, and that they may be truly and fully satisfied of the Reality of His Intentions towards the maintainance of the Truth and Integrity of the same, His Majesty hath been pleased to require and command all His good Subjects to subscribe the Confession of Faith, subscribed by His dear Father in Anno 1580. and for that effect hath ordained the Lords of His Privy Council to take some speedy course whereby the same may be done thorough the whole Kingdom; which His Majesty requires likewise all those of this present Assembly to sign, and all others His Subjects, who have not done it already: and it is His Majesties Will, that this be inserted and registred in the Books of this Assembly, as a Testimony to Posterity, not onely of the sincerity of His Intentions to the said true Religion, but also of His Resolution to maintain and defend the same, and His Subjects in the professing thereof.

C. R.

The Marquis  
consults the  
Bishops how  
to proceed,

The Marquis sent a Gentleman to ask the advice of the Bishops then in the Castle of Glasgow about the particular way of his Procedure in the Assembly, from whom he had the following Letter.

who write to  
him.

My Lord, may it please your Grace,  
**T**His Worthy Gentleman hath desired my Judgment concerning three things: first, concerning the production of a Letter from His Majesty to the Assembly, directed to the Archbishops, Bishops, and Ministers, whether or not this can be produced, and any Note made upon it, before there be a Moderator condescended upon. My humble Opinion is, (which I humbly submit to your Graces better Judgment) that the Letter be presented, given by your Grace to the Clerk, and read by him. Here it is most like your Grace will be pressed, that the Letter is directed to an Assembly that cannot be without a Moderator, and yet on purpose to get a Moderator by Election, and an Assembly established; to which in my Judgment it may be replied, that it may be that the Kings Letter containeth something to that purpose, which therefore is to be read, and noted by the Clerk as produced onely. The second is concerning the Examination of the Commissions and Commissioners: My Lord, it is  
cer-



certain that both are most illegal, and there is more than sufficient ground from An. 1638. this one (if there were no more) to void this Assembly and make it null. But how to begin at this I see not so well; for if the Commissions and Commissioners be rejected, then how shall the Kings Real and Royal Intentions be manifest to the Subjects, which is most necessary, that the Factions may not have advantage to possess good and loyal Subjects, that His Majesty is onely deluding them for other ends. On the other part, if your Grace approve the Commissions and Commissioners, how far King and Church shall suffer, your Grace is wiser to conceive than I am able to express. The third is concerning the Declinator, when it shall be proposed or presented to your Grace; My Lords of Glasgow and Brechin are fully of that mind, that at the very first it is to be used before the Assembly be established: their Reasons seem very pregnant, first, because all Declinators are used so; next, if the Assembly be once established, how can it be declined, or your Grace admit our Declinator or Protestation?

My Lord, seeing two things are mainly to be look'd to, the one that His Majesties Pious Intentions be made known to this present Meeting; the other, that the Church suffer no prejudice; my humble Opinion is, that first the Kings Letter (as I have said) be read, and marked Produced; next immediately after, our Declinator produced, and presented to your Grace, read in audience of all, Instruments taken in the Clerk-Registers hands, and it marked by the Clerk Produced. Then your Grace may by your own Wisdom conceive a brief Speech, excusing your self that you are not so well acquainted with the Formalities and Legalities of Church-meetings; yet that seeing in such Distractions and Combinations all things cannot be done in that orderly way is requisite, and that your Grace does know how that, with a most earnest and Fatherly Care, His Majesty endeavours the binding up of this Breach, and the restoring of Church and State to Quiet and Peace, and that your Grace for that Duty you owe to your Master, and Love you have to your Native Country, will leave nothing undone that is in your power, and incumbent to a faithful Servant and kind Patriot, and therefore will adventure to chuse rather to erre in formal Errors: than to leave so material and necessary a Work at such an exigent of time; and so seeing there is no Arch-bishop nor Bishop present, your Grace by connivence will permit them (for how your Grace can allow it I see not) to chuse a Moderator, and will not fall upon that shelve or rock of Examination of Commissions or Commissioners; being confident that if matters go on in a moderate way, what shall be agreed upon shall be liked by all, even those that are taken to be their Party; and what is amiss in Formality and Legality, if no error be in the matter of the Conclusions, may most easily and speedily be helped. After the Moderator is condescended upon, the first thing your Grace would urge is the Registrating the Kings Letter in the Books of the Assembly, then the Registrating of our Declinator. After this your Grace will be careful, that nothing be proposed till what is in His Majesties Declaration be enacted, and if (this being done) they fall upon any extravagancy, your Grace then may by advice of the Council declare, that seeing they will not hold Moderation, your Grace and the Council must examine their Commissions and Commissioners, (to which before you gave connivence) and discuss the relevancy of our Declinator.

This Course kept, in my poor Judgement, will fully manifest to all His Majesties pious Intentions; evidence your Graces sincere affection to Religion and the Kingdom, preserve our Right, make them unexcusable, let the People see how unreasonable and immoderate they are, and give to your Grace a fair way and ground, to discontinue and discharge the Meeting under pain of

*An. 1638. Treason. This my weak and poor opinion I have made bold to declare to your Grace, not out of any confidence in my self, but necessitated because of that Obedience I owe your Grace, and true affection to the Peace of Church and State, which with my self, and all my endeavours, I humbly prostrate to you, and submit to your Graces better Judgement.*

*I humbly beg of your Grace to let me know by this Gentleman, what shall be done with our Declinator, and let him come and speak with my Lords of Glasgow, Brechin, and me, that we may be acquainted by him of your Graces commands. God in his mercy bless you in this difficult Work.*

Castle of Glasgow  
22<sup>th</sup> Nov. 1638.  
at 7 a clock in the  
morning.

Your Graces most humble  
and bounden Servant,

J. O. ROSSEN.

The Constitu-  
tion of the  
Assembly.

They were about two hundred and sixty Commissioners: besides that from every Presbytery there were also Assessors, from some two, three, four, or more who pretended to no Vote, but only to give Advice; so that in all they made a great number. Some Commissioners there were who could neither read nor write, and yet these were to judge of Heresie, and condemn *Arminius* his points. All depended on a few that were more Learned and Grave, who gave Law to the rest. The Marquis staved off the choosing of the Moderator the first day, and desired them first to receive in the Commissions, and examine their Elections: but he soon foresaw he could not run a great way with them, and that they were resolved stoutly to disobey, and were beginning in their Cabals to threaten to seize on his Person, and on such of the Council as should withstand them. But he resolved not to quit the Grounds were laid down to him, follow on it what would; yet finding afterwards, that there were surmizes of Designs upon his Life, he judged himself bound to let His Majesty know all he understood of the Affairs of Scotland since his last coming from Court. Therefore he sent up Sir *James Hamilton*, with a full account of all matters, containing likewise the Characters of all the Councillours, together with his Advice to His Majesty, how to reduce the Country to his Obedience: those he commended most to the King, and of whose Adherence he had received the fullest assurances, were my Lords of *Traquair*, *Roxburgh*, *Perth*, *Tullibardin*, *Kinnoul*, *Seaforth*, *Lauderdale*, *Southesk*, *Haddingtown*, and *Daniel*; but above all the Marquis of *Huntley*, whose cordial affection to His Majesties Service he highly magnified. His advice was, that *Berwick* and *Carlisle* should be secured, of which he put the King in mind almost in every Letter; that His Majesty was to send a Fleet of some of his Ships to lie in the *Frith*, and to be plying from that to the North, to block up their Trade; and also some others to ply from the *Mule of Galloway* to *Kintyre*, marking to the King the Roads and Harbours whither they might retire. Next, His Majesty was to come down with a Royal Army, and this he was assured would either teach them or force them to Reason: but because upon a Rupture they in Scotland would no doubt presently fall on those who adhered to His Majesty, therefore he advised that there might be Commissions of Lieutenancies sent to the Marquis of *Huntley* for the North, and to the Earls of *Traquair* and *Roxburgh* for the South, that all might gather to them upon

The Marquis  
gives the King  
a full account  
of the State of  
Affairs.



upon the Breach. He also spared not to shew the King how the Bishops *An. 1638.* had miscarried, and that their Ambition had been great, but their Folly greater. His Majesty expressed His sense of this Dispatch in the following Letter.

Hamilton,

**I** Have sent back this honest Bearer both for safety of my Letters, and to ease me from length of Writing, therefore in a word I thank you for your full and clear Dispatch, totally agreeing with you in every point thereof, as well in the Characters of Men, as in the Way you have set down to reduce them to Obedience: onely the time when to begin to act is considerable; to this end I have fully instructed this Bearer with the state of my Preparations, that you may govern your business accordingly. Onely I must tell you, that you have given me so good satisfaction, that I mean not to put any other in the chief Trust in these Affairs but your self. So remitting you to this Bearer, I rest

Whitehall,  
3 Decemb. 1638.

Your assured constant Friend,

CHARLES R.

At Glasgow on the second day of the Assembly's Sitting they went to the Election of the Moderator; but the Marquis desired that they might first hear His Majesties Letter, which thereupon was read. After that he moved that they would read the Bishops Declinator, which was presented to him by Dr. Hamilton; but that they refused, saying, they must first be constituted before they could consider of any business. Upon this he protested, which with all the other Instruments that he took, is yet extant under the Clerk of Registers hands. Mr. Henderson was chosen Moderator. Then the Marquis desired that his Assessors, who were onely six, to wit, the Earls of Argyle, Traquair, Roxburgh, Lauderdale, and Southesk, and Sir Lewis Stewart, might also have a Suffrage: but this was refused, and so they would give the King but one single Vote, though the Town of Edinburgh had two in their Assembly. Upon this also the Marquis took Instruments, according to the Scottish Forms: and thus for a few days he went on in the Assembly, protesting at every step; but as he was consulting what to doe, he received the following Letter.

*The Affairs of  
the Assembly.*

Hamilton,

**C**oncerning our Preparations here I have commanded the Comptroller to give you a full account, of which you may take publick notice, and declare, That as their Carriage hath forced me to take care to arm my self against any Insolence that may be committed: so you may give assurance that my care of Peace is such, that all those Preparations shall be useless, except they first break out with insolent

0 2

Actions.



*An. 1638. Actions.* Now for Answer to your Letter, it was never heard that one should be both Judge and Party: besides, the Lawfulness of the Judicatory must be condescended upon, before any Cause can be therein lawfully determined; therefore I say that the Assembly can in no case be Judge of their own Nullities: yet you have reason, not onely to make good what I have promised, but also to promise them a new Assembly, upon the amendment of all the Faults and Nullities of this. I approve of both your Bargains, and shall take care that you shall not lose by them, and so I rest

Whitehall,  
17 Nov. 1638.

Your assured constant Friend,

CHARLES R.

And two days after that he got the following Letter.

Hamilton,

**T**His is rather to shew you, that I do not forget you nor your pains, than for any Answer that your last Letter needs, it being more of Accounts than Demands. Onely I shall tell you, that you needed not to have made an Excuse for asking the Ten thousand pounds Sterlin; for I know that there is but too much use for it, and the more I consider it, I find you have the more reason: therefore I assure you, that what may be done shall be done in this, and with what speed is possible; and so I rest

Whitehall,  
21 Nov. 1638.

Your assured constant Friend,

CHARLES R.

His Majesty was also pleased to take such notice of Dr. Balcanqual, as to write the following Letter about him.

Hamilton,

**I** Have heard this day that the Dean of Durham is dead, for the disposing of which Place, though I may have many Suiters, and (which is more) though heretofore I have had divers Intentions upon the disposing of that Place, for the better accomodating of my Service, the reason of which is now as forcible as ever; yet I have thought fit not to dispose of it till I might (if your stay be not longer than I expect) speak with you: and to shew you that I am not unmindful of the daily pains that at this time Balcanqual takes in my Service, I would let you see the case before I dispose of it, and have  
your.

*your Opinion, if he might not stay a little longer for another nearer my eye, and yet not dishearten him, when it may accommodate my Service another way ; and so I rest*

Your assured constant Friend,

CHARLES R.

The Assembly went on at such a rate that the Marquis judged it no longer fit to bear with their Courses ; for all Elections, how disorderly soever, were judged good ; their ears were shut upon Reason, and the Bishops Declinator being read was rejected, and an Answer drawn : wherefore on the 28<sup>th</sup> in the morning he call'd a Council in the Chapter-House, and told them he was necessitated to dissolve the Assembly, and gave his Reasons for doing it, using much industry to gain them to concur with him in it. The Earl of Argyle asked if he was to desire the Councils Approbation of what he intended, or not : the Marquis answered, his Instructions from His Majesty were clear and positive for what he was to doe, and therefore it was not in his Power to let any Debate be whether he should doe it, or not ; onely he desired their concurrence and advice as to the manner of doing it. Two hours were spent in Discourse, but clear advices were not given from any of them : from thence the Marquis went to the Church where the Assembly sate, and after he sate long a Witness to some Debates were among them, it was offered to be put to the Vote, whether the Assembly was a free Assembly notwithstanding the Bishops Declinator, or not ; upon which the Marquis knowing well how the Vote would run, rose up and said.

The Marquis resolves to dissolve the Assembly.

“ I Find this day great contrarieties of Humours in my self, first, cause of Joy ; next, cause of Sorrow : cause of Joy, in making good what hath been promised by His Majesty ; cause of Sorrow, in that I cannot make further known His Majesties Pious Intentions.

His Speech at the Dissolution.

“ You have called for a Free General Assembly : His Majesty hath granted you one, most Free on his part, and in his intentions ; but as you have handled and marred the matter, let God and the World judge, whether the least shadow or footstep of Freedom can be discerned in this Assembly, by any man who hath not given a Bill of Divorce both to his Understanding and Conscience. With what wresting and wringing your last Protestation charges His Majesties last Gracious Proclamation in the point of Prelimitations, is both known and disliked by many even of your own pretended Covenant ; but whether your Courses, especially in the Elections of the Members of this Assembly, be not onely Prelimitations of it, but strong Bars against the Freedom of it, nay utterly destructive both of the Name and Nature of a Free Assembly, and unavoidably inducing upon it many and main Nullities, will be made manifest to the whole World.

“ But His Majesties Sincere Intentions being to perform in a lawful Assembly all he hath promised in his Gracious Proclamation, if you find out a way how these things may pass, and be performed even in this Assembly.

An. 1638.

“Assembly, such as it is, and yet His Majesty not made to approve any  
 “way the Illegalities and Nullities of it, for satisfying all His Majesties  
 “good Subjects of the Reality of his Meaning; I am by His Majesties  
 “special Command ready to doe it, and content to advise with you how  
 “it may be done.

And after this he caused read His Majesties Concessions, as they had been before proclaimed: upon which he took Instruments, that by producing and signing of them, first, his Majesties Intentions were made known; next, that in the producing and delivering of them, the Lawfulness of the Assembly was not acknowledged. After that he went on, and discoursed against the Constitution of the Assembly in the following words.

“But now I am sorry I can go on with you no more, for the sad part  
 “is yet behind, about Ruling-elders; for neither Ruling-elders, nor any  
 “Minister chosen Commissioner by Ruling-elders, can have voice here,  
 “because no such Election is warranted, either by the Laws of this  
 “Church or Kingdom, or by the practice or custom of either: for  
 “even that little which appeareth to make for those Elders in the Book  
 “of Discipline, hath at this time been broken by you, there being more  
 “Lay-elders giving votes at every one of those Elections, than there  
 “were Ministers, contrary to the Book of Discipline; as in *Lanerick* but  
 “eight Ministers, and eighteen or nineteen Lay-elders; and so in divers  
 “other Presbyteries: and in every Presbytery, when the Ministers upon  
 “the List were removed, the remaining Elders exceeded far the remaining  
 “Ministers. But say there were Law for those Lay-elders, the  
 “interruption of the execution of that Law, for above 40 years, makes  
 “so strong a Prescription against it, that without a new reviving of that  
 “Law, by some new Order from the General Assembly, it ought not to  
 “gain be put in practice; for if His Majesty should put in practice, and  
 “take the Penalties of any disused Laws without new intimations of  
 “them from Authority, it would be thought by your selves very hard  
 “dealing.

“To say nothing of that Office of Lay-elders, it being unknown to  
 “the Scripture or Church of Christ for above 1500 years, let the World  
 “judge whether those Laymen be fit to give Votes in inflicting the Censures  
 “of the Church, especially that great and highest Censure of Excommunication,  
 “none having power to cast out of the Church by that Censure, but those  
 “who have power to admit into the Church by Baptism: and whether all the  
 “Lay-elders here present at this Assembly be fit to judge of the high and deep  
 “Mysteries of Predestination, of the Universality of Redemption, of the  
 “Sufficiency of Grace given, or not given to all men, of the Resistibility  
 “of Grace, of total and final Perseverance, or Apostasie of the Saints,  
 “of the Antilapsarian or Postlapsarian Opinion, of Election and Reprobation;  
 “all which they mean to ventilate, if they do determine against the *Arminian*, as they  
 “give out they will.

“In many Presbyteries these Lay-elders disagreed in their Elections  
 “wholly, or for the most part, from the Ministers, and carried it from  
 “them by number of Votes, though in all reason the Ministers themselves  
 “should best know the abilities and fitness of their Brethren: and  
 “this



"this was done in the Presbyteries of *Chirnside, Linlithgow, Aberdeen,* and *An. 1638.*  
 "divers more.

"How can these men now elected be thought fit to be Ruling-elders,  
 "who were never Elders before, all or most part of them being chosen  
 "since the Indiction of the Assembly, some of them but the very day  
 "before the Election of their Commissioners; which demonstrates plain-  
 "ly, that they were chosen onely to serve their Associates turn at this  
 "Assembly?

"Since the Institution of Lay-elders by your own Principles is to  
 "watch over the Manners of the People in the Parish in which they  
 "live, how can any man be chosen a Ruling-elder from a Presbytery,  
 "who is not an inhabitant within any Parish of that Presbytery, as  
 "hath been done in divers Elections, against all Law, Sense, or Rea-  
 "son?

"By what Law or Practice was it ever heard, that young Noblemen,  
 "or Gentlemen, or others, should be chosen Rulers of the Church, be-  
 "ing yet Minors, and in all Construction of Law thought unfit to ma-  
 "nage their own private Estates, unless you will grant that men of  
 "meaner Abilities may be thought fit to rule the Church, which is the  
 "House of God, than are fit to rule their own private Houses, Families,  
 "and Fortunes?

"By what Law can any Ruling-elder be sent to a Presbytery to give  
 "Vote in any thing, especially in chusing Commissioners for the Gene-  
 "ral Assembly, who is not chosen for that purpose by the Session of that  
 "Parish in which he is a Ruling-elder? And who gave power to the  
 "Minister of every Parish, to bring with him to the Presbytery for that  
 "purpose any Ruling Elder of his Parish whom he pleased?

"But it is well known, that divers Elders gave Votes in these Presby-  
 "teries to the Elections of some Commissioners here, who were not cho-  
 "sen by the Sessions of their several Parishes to give Votes in those Pres-  
 "byteries; and therefore such Commissioners as were chosen by such  
 "Lay-elders can have no Vote here.

"By what Law or Practice have the several Parishes or Presbyteries  
 "chosen Assessors to their Ruling-elders, without whose consent some  
 "of the Commissioners here present are sworn not to vote to any  
 "thing?

"This introducing of Ruling-elders is a burthen so grievous to the  
 "Brethren of the Ministry, that many of the Presbyteries have protest-  
 "ed against it for the time to come, some for the present, as shall ap-  
 "pear by divers Protestations and Supplications ready to be here exhi-  
 "bited.

"For the Ministers chosen Commissioners hither, besides that the fit-  
 "test are passed by, and some chosen who were never Commissioners of  
 "any Assembly before, that so they might not stand for their own Li-  
 "berty in an Assembly of the nature whereof they are utterly ignorant,  
 "choice hath been also made of some who are under the Censure of the  
 "Church, of some who are deprived by the Church, of some who have  
 "been banished and put out of the University of *Glasgow*, for teaching  
 "their Scholars that Monarchies were unlawful, some banished out of  
 "this Kingdom for their Seditious Sermons and Behaviour, and some for  
 "the like Offences banished out of another of His Majesties Kingdoms,  
 "*Ireland*, some lying under the fearful Sentence of Excommunication,  
 "some

An. 1638. " some having no Ordination nor Imposition of Hands, some admitted  
 " to the Ministry contrary to the standing Laws of this Church and  
 " Kingdom, all of them chosen by Lay-elders; what a Scandal were it to  
 " the Reformed Churches to allow this to be a lawful Assembly, con-  
 " sisting of such Members, and so unlawfully chosen ?

\* That is, un-  
 der a Writ of  
 Outlawry.

" Of this Assembly divers who are chosen are at the \* *Horn*, and so  
 " by the Laws of this Kingdom are incapable of sitting as Judges in any  
 " Judicatory.

" Three Oaths are to be administred to every Member of this Assem-  
 " bly, the Oath for the Confession of Faith, lately renewed by His Ma-  
 " jesties Commandment, the Oaths of Allegiance and Supremacy; and  
 " whosoever shall refuse any of these, cannot be a Judge in any Judica-  
 " tory of this Kingdom; and therefore resolve presently whether you  
 " will take them or not.

" You have cited the Reverend Prelats of this Land to appear before  
 " you by a way unheard-of, not only in this Kingdom, but in the whole  
 " Christian World, their Citations being read in the Pulpits, which is  
 " not usual in this Church; nay, and many of them were read in the  
 " Pulpits after they had been delivered into the Bishops own hands.  
 " How can His Majesty deny unto them, being His Subjects, the benefit of  
 " His Laws, in declining all those to be their Judges, who by their Cove-  
 " nant do hold the principal thing in question, to wit, Episcopacy to be  
 " abjured, as many of you do? or any of you to be their Judges, who  
 " do adhere to your last Protestation, wherein you declare, that it is an  
 " Office not known to this Kingdom, although at this present it stand  
 " established both by Acts of Parliaments, and Acts of General Assem-  
 " blies? Who ever heard of such Judges as have sworn themselves Par-  
 " ties? And if it shall be objected, that the Orthodox Bishops in the first  
 " four and other General Councils could not be denied to be compe-  
 " tent Judges of the Hereticks, though beforehand they had declared  
 " their Judgments against their Heresies: it is easily answered, that in  
 " matters of Heresie no man must be patient, since in Fundamental points  
 " of Faith a man cannot be indifferent without the hazard of his Salvati-  
 " on, and therefore must declare himself to be on Christs side, or else  
 " he is against him; but in matters of Church-government and Policy,  
 " which by the Judgment of this Church in the 21<sup>th</sup> Article of our Con-  
 " fession is alterable at the will of the Church, it is not necessary for any  
 " man who means to be a Judge, to declare himself, especially against  
 " that Government which stands established by Law at the time of his  
 " Declaration, being not onely not necessary, but likewise not lawful  
 " for him at that time so to doe: now this Declaration all you who ad-  
 " here to the last Protestation have made, even since you meant to be  
 " the Bishops Judges. Besides, even those Orthodox Fathers never did  
 " declare themselves against the Hereticks, their Persons or Callings, by  
 " Oaths and Protestations, as you have done; for that had been a pre-  
 " judging in them, and this prejudging in you makes you now to be in-  
 " competent Judges.

" Upon the whole matter then there are but two things left for me  
 " to say: first, you your selves have so proceeded in the business of this  
 " Assembly, that it is impossible the fruits so much wished and prayed  
 " for can be obtained in it; because standing as it does, it will make  
 " this Church ridiculous to all the Adversaries of our Religion, it will  
 " grieve



"grieve and wound all our Neighbour Reformed Churches who hear of  
 "it; it will make His Majesties Justice to be traduced throughout the  
 "whole Christian World, if he should suffer His Subjects in that which  
 "concerns their Callings, their Reputations and their Fortunes, to be  
 "judged by their sworn Enemies. If therefore you will dissolve your  
 "selves, and amend all these errours in a new Election, I will with all con-  
 "venient speed address my self to His Majesty, and use the utmost of my  
 "Intercession with His Sacred Majesty for the Indiction of a new Assem-  
 "bly, before the meeting whereof all these things now challenged may  
 "be amended: if you shall refuse this Offer, His Majesty will then de-  
 "clare to the whole World, that you are disturbers of the Peace of this  
 "Church and State, both by introducing of Lay-elders against the  
 "Laws and Practices of this Church and Kingdom, and by going about  
 "to abolish Episcopal Government, which at this present stands esta-  
 "blished by both the said Laws: two points (I dare say) and you  
 "must swear it, if your Consciences be appealed to, (as was well ob-  
 "served by that Reverend Gentleman we heard preach the last Sun-  
 "day) which these you drew into your Covenant were never made  
 "acquainted with at their entering into it; much less could they suspect,  
 "that these two should be made the issue of this business, and the two  
 "stumbling-blocks to make them fall off from their Natural Obedience  
 "to their Sovereign.

Mr. Henderson made a long Speech, wherein he said much to the mag-  
 nifying of the Kings Authority in matters Ecclesiastical, calling him *The*  
*Universal Bishop of the Churches in His Dominions*, with other such like  
 Expressions, which gave no small disgust to many of the zealous Bre-  
 thren: but in the end he said, that we must render to God the things  
 that were Gods, as well as to *Cæsar* the things which were *Cæsars*; and  
 spoke much for vindicating their Proceedings, and charging the Bishops.  
 And after him many of the Lords spoke about the Freedom of the As-  
 sembly, to whom the Marquis replied.

"AS for your pretence of your unlimited Freedom, you indeed re-  
 "fused so much as to hear from His Majesties Commissioner, of  
 "any precedent Treaty for the preparing and right-ordering of things  
 "before the Assembly; alledging, that it could not be a free Assembly  
 "where there was any Prelimitation either of the Choosers, or of those  
 "to be chosen, or of things to be treated of in the Assembly, but that  
 "all things must be discussed upon the place, else the Assembly could  
 "not be free: but whether you your selves have not violated that  
 "which you call Freedom, let any man judge; for besides these In-  
 "structions, which it may be are not come to our knowledge, we have  
 "seen, and offer now to produce, four several Papers of Instructions  
 "sent from them, (whom you call the *Tables*) containing all of them  
 "Prelimitations, and such as are not onely repugnant to that which you  
 "call the Freedom, but to that which is indeed the Freedom of an  
 "Assembly. Two of these Papers were such as you were contented  
 "should be communicated to all your Associates, to wit, that larger  
 "Paper sent abroad to all Presbyteries, immediately after His Majesties  
 "Indiction of the Assembly, and that lesser Paper for your meeting first  
 "at



An. 1638. " at *Edinburgh*, then at *Glasgow*, some days before the Assembly ; which  
 " Paper gave order for chusing of Assessors, and divers other particulars :  
 " but your other two Papers of Secret Instructions were directed, one  
 " of them onely to one Minister of every Presbytery, to be communica-  
 " ted by him as he should see cause, but to be quite concealed from the  
 " rest of the Ministers ; the other Paper was directed onely to one Lay-  
 " elder of every Presbytery, and to be communicated by him as he should  
 " see cause, but to be quite concealed from all others : in both which  
 " Papers are contained such Directions, which being followed, as they  
 " were, have quite banished all Freedom from this Assembly ; as shall  
 " appear by reading the Papers themselves.

These he caused read, but they were disowned by the Members of the Assembly ; and they said, they might have been the private Opinions of some, but did infer no Prelimitation on the Assembly : to which the Marquis answered, " That all the Elections being ordered according to these, was a clear proof, they were sent by an Authority which all feared to disobey. And after that he told, That for many moneths the Orders of the *Table* had been obeyed by all ; but he would now make a trial what Obedience they would give to the Kings Command : and protested, that one of the chief Reasons that moved him to dissolve this Assembly, was to deliver the Ministers from the Tyranny of Lay-elders, who (if not suppressed) would (as they were now designing the ruine of Episcopal Power) prove not onely Ruling, but Over-ruling-elders.

and dissolves  
 the Assembly ;  
 but they con-  
 tinued to sit.

By this time his Heart was so full of Grief (which was easily to be observed by divers Indications) that almost all present were affected with it. In end, seeing nothing said in reason did prevail, he in His Majesties Name dissolved the Assembly, and discharged their further Proceeding under pain of Treason. Mr. *Henderson* and the Earl of *Rathes* answered him, that they were sorry he left them : but their Consciences bore them witness, they had hitherto done nothing amiss, so they could not desert the Work of God ; protesting much of their Duty and Obedience to the King in its due line and subordination : and after this a long Protestation was begun and read.

The Council  
 approved of it.

This being done, the Marquis presently went out, and called a new Council, to whom he told how sorry His Majesty would be for this Breach, and how really desirous he was to have done all was possible for satisfying of his Subjects, but that their Behaviour had extorted what was done ; he therefore encouraged them all to their Duty to the King, assuring them, that whatever any of them might suffer for it, His Majesty would see they should be no losers. From this Council the Earl of *Argyle* withdrew, and fully cleared all Jealousies about him ; for he told the Marquis in plain Language, he would take the Covenant and own the Assembly. But most of the Councillours seemed satisfied with the Marquis his Carriage in the Assembly, particularly all his Assessors, (*Argyle* onely excepted :) yet the Marquis durst not offer the Proclamation for dissolving the Assembly to be signed in Council, for fear of a refusal, not having tried them all in it beforehand ; but got most of them to sign it next morning, and then he sent it to the Market-Cross to be proclaimed, where it met with a new Protestation. *Argyle's* Example was followed by some few Privy-Councillours,

lours, whose declaring themselves the Marquis judged rather an advantage than a loss. *An. 1638.*

The Council also wrote a Letter to the King, highly commending the Marquis his zeal and industry in what had passed in the Assembly, which is in the Large Declaration, to which the Reader is referred for the perusal of all the Papers set down there at length; these being onely inserted here that were not then made publick.

Thus he left *Glasgow*, and went first to *Hamilton*, carrying some of the Bishops with him for their security from hazard; and after two or three days stay there went to *Edinburgh*, (hoping that as he had outlived their Threats, he should ere long see His Majesty master their Insolence :) and from thence he gave His Majesty an account of what had passed since his last, together with a desire for a Permission to come and wait on him; to which the King wrote the following Answer.

*Hamilton,*

**I** Never expected other than that you would have too just grounds to dissolve this Assembly; and certainly I were very unjust if I did not approve you therein, since not onely your Instructions warrant you the same, but even the Council hath testified to me the Necessity of it. And now I shall lay before you some Considerations; in the first place to take care, that your coming away do not cast things so loose, that the honest men of my Party do believe that you leave them as in a case desperate, or at least, that by your Absence they be denuded of Advice and Protection: therefore I hope, before you come up you will take so good order, that your Absence do neither dishearten, nor prejudice my Party. As for my Preparations, I doubt not but ere this you have had a full account by your Cousin Sir James, whereby you find that I shall not be able to shew myself like myself before February or March; wherefore I lay it to your Consideration, whether it were not fit to give hopes that the Parliament shall hold, (notwithstanding all the impertinencies of this last Assembly) so that their Follies break not out into open Acts of Rebellious Violences: and really I will not say, but (that things may be so prepared) it may be fitting that it should hold. To conclude, I hope you do not conceive, that the Date of your Commissionership is out; wherefore I expect that (if you find cause) you send out Commissions of Lieutenancies to Huntley for the North, and to Traquair or Roxburgh, either jointly or severally, (as you shall find most fit) for the South; yet all as subaltern to you. This I confess is not to be done but upon great necessity, of which I leave you (as upon the place) to be Judge, (being abundantly satisfied of your zeal and dexterity to

*The King approves of his dissolving the Assembly.*



An. 1638. *(serve me)* as I do of all that I have now written: and so  
 I rest

Whitehall,  
 7 Dec. 1638.

Your assured constant Friend,

CHARLES R.

To this shall be added two Letters written by the Archbishop of Canterbury to the Marquis on the same subject.

My very good Lord,

Letters from  
 my Lord of  
 Canterbury to  
 the Marquis.

I Received your Lordships Letters of Novemb. 27<sup>th</sup>, they came safe to me on Decemb. 2<sup>d</sup> after 8 at night. I was glad to see them short; but their shortness is abundantly supplied by the length of two Letters, one from the Lord Rofs, and the other from the Dean. They have between them made their word good to your Lordship, for they have sent me all the passages from the beginning of the Assembly to the time of the Date of their Letters: and this I will be bold to say, never were there more gross absurdities, nor half so many, in so short a time, committed in any Publick Meeting; and for a National Assembly never did the Church of Christ see the like.

Besides His Majesties Service in general, that Church is much beholding to you, and so are the Bishops in their Persons and Callings: and tearfully sorry I am, that the People are so beyond your expression furious, that you think it fit to send the two Bishops from Glasgow to Hamilton; and much more, that you should doubt your own safety. My Lord, God bless your Grace with Life and Health to see this Business at a good end, for certainly, as I see the face of things now, there will very much depend upon it, and more than I think fit to express in Letters; nay perhaps, more than I can well express if I would.

I am as sorry as your Grace can be that the Kings Preparations can make no more haste. I hope you think (for truth it is) I have called upon His Majesty, and by His Command upon some others, to hasten all that may be, and more than this I cannot doe; but I am glad to read in your Letters that you have written at length to His Majesty, that you may receive from himself a punctual Answer to all necessary particulars: and I am presently going to him to persuade him to write largely to you, that you may not be in the dark for any thing.

But (my Lord) to meet with it again in your Letters, that you cannot tell whether this may be your last Letter, and that therefore you have disclosed the very thoughts of your Heart, doth mightily trouble me: but I trust in God, he will preserve you, and by your great Patience, Wisdom, and Industry, set His Majesties Affairs (to your great Honour) in a right posture once again; which if I might live to see, I would be glad to sing my Nunc dimittis.

I pray (my Lord) accept my thanks for the poor Clergie there, and particularly for the Bishop of Rofs, who protests himself most infinitely obliged to you.

I heartily pray your Lordship to thank both the Bishop of Rofs and the Dean for their kind Letters, and the full account they have given me; but there is no particular that requires an Answer in either of them, saving that I find in the Deans Letter, that Mr. Alex. Henderson, who went all this while for a quiet and calm-spirited man, hath shewed himself a most violent and passionate man, and a  
 Mo-



*Moderator without Moderation. Truly (my Lord) never did I see any man An. 1638.*  
*of that humour yet, but he was deep-dyed in some violence or other, and it*  
*would have been a wonder to me if Henderson had held free. Good my Lord,*  
*since you are good in the active part, in the commixture of Wisdom and Pa-*  
*tience, hold it out till the People may see the Violence and Injustice of them*  
*that would be their Leaders, and suffer not a Rupture till there be no Re-*  
*medy. God bless you in all your ways, which is the daily pray-*  
*er of*

Lambeth,  
 3 Decemb. 1638.

Your Lordships most faithful Friend,  
 and humble Servant,

W. CANT.

My very good Lord,

I Received your Letters of the second of December upon the sixth of the  
 same at night, and could not speak with His Majesty till this day. This  
 day I did, and shewed him your Letters and the Deans; and I read to him  
 more than the later half of all the long Discourse which the Dean wrote unto me,  
 for His Majesty was very desirous to know what occasion you took to dissolve  
 the Synod, and how you prosecuted it; in both which that Paper gave him great  
 satisfaction.

With your Letters I have received three other Papers, that which shews you  
 have kept within your Instructions, the Copy of the Proclamation which dis-  
 solves the Assembly, and a Copy of the Councils Letter to the King; both  
 which His Majesty takes to be very good Service done for him, and commands  
 me to give your Grace thanks in his Name, which I am very glad to doe, and  
 I doe it heartily.

For the Earl of Argyle I can say no more than I have already, though now  
 I know him more perfectly than I did. Your Resolution was to put him from the  
 Council-Table, if he refused the Kings Covenant; he hath now deserved it  
 more, but whether it be a fit time as yet to proceed so far, I dare not determine  
 here. This I am sure of, if he do now publicly adhere to the Covenant and  
 the Assembly, nay be the professed Head of the Covenant, (as the Dean calls  
 him;) yet he will have much ado to look right upon that, who ever looked askint  
 upon the Kings business.

Concerning your coming up to Court, I am glad I find His Majesty in that  
 Opinion which I cannot chuse but be of, that is, to leave it to your self, and your  
 own Judgment upon the place, whether it be fitter for you to come or stay: for  
 the truth is, my Lord, in my poor Judgment the King must needs leave this to  
 your self, or discern himself; for if he bids you come, you will not stay; and if  
 he would have you stay, you will not come: but whether it be fittest to come or  
 stay cannot be prudently judged here, therefore (my Lord) doe that which shall  
 be best approved there for His Majesties Service. And as much as I desire to  
 see you, I will be bold to adde this, that I hope you will not stir to come thence,  
 till you have so settled the Country, or at least the Kings Party there, as that  
 you may be sure they may be safe, till further course for Security may be taken:  
 for I do not know how much it may dishearten them if your Grace come away  
 from them too soon.

In tender care of His Majesties both Safety and Honour, I have done and  
 do daily call upon him for his Preparations. He protests he makes all the haste  
 he can, and I believe him; but the jealousies of giving the Covenanters umbrage

*An. 1638. too soon, have made Preparations here solate. I doe all I can here with trouble and sorrow enough.*

*Here is News that three Ships-full more of Arms are come to Leith from Poland; whence have they money to buy all this? If this be true, the King of Poland hath watched a shrewd opportunity to quit the King for the late neglect of his Ambassadour. And that which troubles me not a little is, that the Kings Party there (I doubt) is not half so well provided of Arms as the Covenanters are.*

*For the Money you mention, I wish with all my heart you had received it, for at the rising of the Assembly most miserable will be the Condition of them who have faithfully served God and the King. I have now again put it to the King, and he sees enough, but cannot well tell how to help it; yet this he said, If he could possibly scrape so much together, it should be had.*

*I pray be pleased to thank the Dean for his great pains, though it cost me the sitting up some part of the night to read it. His Letter, beside that Discourse, contains but two things, The necessity of a present shew of Force against the rising of the Assembly, before men be urged to new Confederacies, and Subscriptions to all things determined in this Assembly; The other, that some care may be had for the poor Ministers, who will be put to the greatest sufferings, and all for God and the King. And to these two I have said as much as I can, and shall daily labour with the King to doe all that may be done for them. I pray God bless your Lordship, but I am infinitely sorry so much Grace and Goodness of the Kings should be no better received. To Gods blessed Protection I leave you, and all your Endeavours, and shall ever shew my self*

Whitehall,  
Decemb. 7. 1638.

Your Graces most faithful Friend,  
and humble Servant,

W. CANT.

The Assembly  
go on at a  
great rate.

The Assembly all this while were not idle, but went on at a great rate, now that there was none to curb them. They condemned all the Assemblies had been for forty years before, as prelimited and not Free; they declared Episcopacy unlawful, and contrary to the Laws of their Church: the same was the fate of the Service-book, Book of Canons, High-Commission, and the Articles of Perth. They appointed the Covenant to be taken by all under pain of Excommunication, with their new Gloss against Episcopacy and the Ceremonies: and then they proceeded to the Proceses of Bishops notwithstanding their Declinator, which was sure not to be sustained by them; for they being both Judges and Parties, would not fail to carry the matter as they desired.

The Marquis  
puts forth a  
Proclamation  
against them.

The Marquis at his coming to Edinburgh on the 17<sup>th</sup> of December emitted a large Proclamation, containing the Reasons of his dissolving the Assembly, and declared those who continued to sit in that pretended Assembly Traitors. He added His Majesties Pious Intentions to preserve the Religion established; discharging all his Subjects to acknowledge or obey the Acts of that pretended Assembly, with an assured promise of Protection to all such as continued in their Obedience to His Majesties Service. This he sent every where to be proclaimed through Scotland, and wrote to all he heard of that were affectionate to His Majesties Service, encouraging them to continue in their Duty,  
assu-



assuring them of the Kings Favour and Goodness. But now were all *An. 1638.* Peoples minds set on flame, every one expecting what should be the issue of this disorderly Affair.

He begun again to talk with the Covenanters, according to the Kings Order for a continuance of Treating; but they received it with so much neglect, that he was scarce able to bear it: and finding they did encourage themselves with the Kings Clemency, he resolved to prostitute the Offers of it no more. He found the Castle of *Edinburgh* in some better posture at his return thither, than he had left it when he went to the West; forty good men were stolen into it with some Musquets and Cases of Pistols, and abundance of Ammunition, and Provision for five weeks. This was carried with great cunning, for the Castle had been watched all the while: but when the Covenanters understood what was carried in, they were enraged, and beset the Castle so closely with their Guards, that it was as good as besieged.

The Assembly of *Glasgow*, after they had deposed all the Bishops, and excommunicated eight of them, wherein it was easie to proceed against Absents, at length they closed with a Letter to the King, (to be found in the Printed Acts of that Assembly:) and in it they justified their Procedure, complained of the Usage they met with from His Commissioner; and prayed His Majesty to look upon them as good and dutiful Subjects, and be satisfied with what they had done.

*The Assembly end their business, and write to the King.*

The Marquis his Journey was delayed, through an Indisposition of Body, some days longer than he intended; and indeed (all things being considered) it was a wonder how either Body or Mind could hold out so long. His Negotiation was both painful and unprosperous: most of the day he was obliged to spend with unmanagable and unruly Spirits, and much of the night in writing Letters; for every third or fourth day he gave the King a large account of what passed, which was sometimes of the length of two sheets of all sides in close writing. This was always seconded by another to my Lord of *Canterbury* of the same, and often a greater length. Besides that, about other matters of course he wrote as often to the Earl of *Sterlin*, and almost as often to Sir *Henry Vane*. And this was besides all his Letters up and down *Scotland*, most of which, particularly those to my Lord *Huntley*, (which were at least weekly) were all with his own Hand. And the most uneasy part of all was, that he was obliged to keep himself in a reserve almost with every Body, there being very few about him whom he durst intirely trust: and certain it is, had not his Mind been of a great and undaunted stayedness and calmness, the shocks he met with had dashed him to pieces.

*The Marquis indisposed through long Fatigue.*

But having recovered his Health, & put things in the best Order could be expected in the midst of so great Disorders, he took Journey to *London* on the 28<sup>th</sup> of *December*, having committed the chief care of business to the Earl of *Traquair*; in whose hands he left some of the Blanks under the Kings Hand which he had by him, to be filled up as *Traquair* should be answerable; with a particular Order, that if the Lords of the Covenant pressed the Lords of the Session to doe any thing that might infer an Acknowledgment of the Assembly of *Glasgow*, and if he saw any grounds to fear their yielding, then he should fill up one of the Blanks with a Proclamation to the Session to rise. Thus ended this Ominous Year.



An. 1639.

Anno 1639.

The sad posture  
Affairs  
were in.

THE Marquis. his thoughts did bear him sad company during his Journey : the least painful of them was, that he knew he had many Enemies, who would impute the present Disorders to his Mismanagement, if not to his unfaithfulness ; but those he quieted with his confidence in His Majesties Justice, and his own Integrity. And indeed any personal Hazard could meet him must have had small footing in a mind prepossessed with other thoughts. That which tormented him most (as appears by his Letters) was, that he saw inevitable Ruine hanging either over his Master, or his Country, if not over both ; since the Ruine of either would prove fatal to both. To advise His Majesty to Treat any further, before he were in a posture to command as well as to treat, was so dishonourable that he could not think of it. He saw a Kingly way must be taken, but he knew well His Majesties Affairs were not in a very good posture. *England* had enjoyed a long quiet, and so both their Warlike Spirits and Preparations were much rusted : there was store of Factious Spirits among them, who would give heartless assistance to His Majesty in his Designs ; and those who would be most forward, he knew were ready to drive His Majesties Resentments too far. He saw little hope of any Party to be made for the King in *Scotland*, except from the Marquis of *Huntley*. He knew the Covenanters would proceed as men desperate ; and less heartiness could be expected from His Majesties hired Souldiers, than from such as had no hope but in their hands and actions. In a word, all things looked so cloudy to his discerning mind, that it proved a melancholy Journey to him.

The King  
highly displeased  
with the  
Covenanters.

On the 5<sup>th</sup> of *January* he came to *Whitehall*, where he gave the King a true and ample Relation of all particulars. His Majesty was fully satisfied with his Carriage in every step of it, approving all he had done ; but was so highly irritated at the Covenanters, that he resolved neither to think nor talk of Treating, till he should appear in a more formidable posture ; judging it would render his Person and Government contemptible, not onely to all abroad, but to his other Subjects, and teach them to kick off his Authority, if after all the Affronts had been put upon his Laws and Condescensions he should be so tame as still to Treat ; and therefore was resolved not to receive the Letter he knew was coming from the Assembly to him, backed with a Petition from the Lords. But the Marquis desired he would delay any such more apparent Breach, till he were ready to appear in the Field, which was impossible before *March*. All His Majesties thoughts were now bent upon the way of reducing *Scotland* to due Obedience, in which the Marquis offered him his humble and hearty concurrence : for though his Affection to his Country and Friends did struggle strongly against his engaging further, yet it yielded to his Duty ; but not so intirely, as to clear his Spirit of sad regrades. And in this he was not onely rivalled, but far out-stripped by his Sovereign, whose Sorrow keeping pace with his Affection and Interest, made this Expedition prove as sad as it was just.

The

The Design was thus laid down: His Majesty was to raise an Army of thirty thousand Horse and Foot, and to lead them in Person towards *Scotland*: He was to write to all the Nobility of *England*; to wait upon him to the Campagne with their Attendants, who should be maintained by His Majesties Pay: He was to put good Garrisons in *Berwick* and *Carlisle*, two thousand in the former, and five hundred in the latter: He was at the same time to send a Fleet to ply from the *Frith* North-ward for stopping of Trade, and making a great Diversion for guarding the Coast: He was also to send an Army of five thousand men under the Marquis his Command to land in the North, and joyn with *Huntley's* Forces: all which should be under his Command, he retaining still the Character of Commissioner, with the addition of General of the Forces in *Scotland*. And with these he was, First, to make the North sure, and then to move South-ward, which might both make another great Diversion, and encourage such as wished well to His Majesties Service, who were the greater number in those Parts. Next, the Earl of *Antrim* was to land in *Argyle-shire*, upon his Pretensions to *Kyntire*, and the old Fewds betwixt the *Mackdonalds* and *Campbells*; and he promised to bring with him ten or twelve thousand men. And last of all, the Earl of *Strafford* was to draw together such Forces as could be levied and spared out of *Ireland*, and come with another Fleet into *Dumbrition-Frith*; and for his encouragement, the Marquis desired him to touch at *Arran*, (that being the only place of his Interest which he could offer unto His Majesty) and he would be sure of all his Men there, (*such naked Rogues as they were*, is his own phrase.) Besides, there were store of Cows in that Island for the provision of the Fleet, which he appointed should not be spared.

Thus was the Design laid down for curbing the *Scotish* Insolences: yet His Majesty firmly resolved, that when-ever they returned to their Obedience, he should not be inexorable. The first thing for prosecuting this Design, was the looking for Officers and Money: for the former, *England* was pretty scant; yet the best were sought out. On the second of *February* the King named the Earl of *Arundel* to be General, the Earl of *Essex* to be Lieutenant-General of the Foot, and the Earl of *Holland* to command the Horse. Letters were also sent through the Counties for levying of Men, and Advertisements given to the Nobility to meet the King at *York* against the first of *April*. *Antrim* undertook bravely, and *Strafford* said, he should doe what was possible with all expedition. The Fleet was appointed presently to be rigged out; and Orders issued out for levying five thousand Souldiers, under the Command of the three gallant Colonels, *Morton*, *Byron*, and *Harecoat*, who should go with the Fleet without knowing whither they went. A Commission for the Lieutenantry of the North of *Scotland* was sent to the Marquis of *Huntley*; but he was ordered to keep it up as long as was possible, and carefully to observe two things. One was, not to be the first Aggressor, except he were highly provoked, or His Majesties Authority signally affronted; the other was, that he should keep off with long Weapons, till His Majesty were on the Borders; lest if he should begin sooner, the Covenanters might overwhelm him with their whole Force, and either ruine him, or force him to lay down his Arms. As for the Marquis his Employment, he told His Majesty, that though he was so far from declining his Service at such a

An. 1639.  
and resolves  
on a War;

and layes  
down methods  
for the effe-  
ctuating of his  
design.



An. 1639. time, that he should be infinitely troubled if he were not imployed: yet he desired the King might choose a fitter person for the Naval Forces, since he was altogether unacquainted with Sea-affairs, and not fit for such an important Service. But His Majesty looking upon this as an effect of his Modesty, gave no hearing to it; telling him, that as for Affairs purely Naval, Sir *John Pennington* the Vice-admiral should go with him, and would abundantly supply his defects in that.

But the getting of Money was the hardest part of all, for two hundred thousand pound *Sterlin* was all the Money the King could make account of. The Treasury was much exhausted; and an unlucky Accident fell in at that time, which put the King to much extraordinary Expence, the Queen-Mother of *France* coming over to *England*: yet the King found Himself able to doe well enough for the Summer following, but His Purse could not weather out another year.

Thus did the King frame and prosecute His Design, with the Secret whereof very few were trusted; it being communicated to none without reserve, save to *Canterbury*, *Arundel*, Sir *Henry Vane*, and by Letters to *Strafford*, but above all to the Marquis.

The Covenanters prepare for War.

But here this Narration must be stopt, that we may take a view of *Scotland*, and of the Power and Practices of the Covenanters. In the beginning of *January* there was a full Meeting of them at *Edinburgh*, where they first resolved to send a Gentleman to the King, with the Assemblies Letter, and a Petition from themselves, full of Submission to the King, Invectives against the Marquis, and Justifications of their Procedure in all things, particularly in the late Assembly: which they doubted not, they should make appear in the ensuing Parliament, of the holding whereof they seemed to make no question. With this the Earl of *Argyle* wrote a general Vindication of his own Behaviour; and these Letters were sent to Court by Mr. *Winram*. His Majesty received their Petition, but resolved to give it such an Answer in due time as their Behaviour deserved: but he wrote back to *Argyle*, that he should be willing to receive from his own mouth a Vindication of his late Behaviour, though it seemed scarce capable of any. The Covenanters their next, and indeed chief care, was, to fortifie themselves against what they knew in reason they might quickly expect. Orders were therefore given through all the Shires of *Scotland*, that a Committee of War should sit in every Shire, Souldiers be listed and trained, and a Commissioner sent from every County, to lie at *Edinburgh* for receiving and transmitting of Orders. Great care was also taken to provide the Country with Arms and Ammunition, Merchants were sent every where to buy up all were to be had, and in a short time there were Arms for above thirty thousand men brought to *Scotland*; and particular Orders were given, that none should be sold, but to such as were well-affected to the Cause. Strong and strict Guards were set about the Castle of *Edinburgh*, so that it being but hitherto ill furnished, little was to be expected from it; wherefore *Ruthwen* would not shut himself up within it, but went to offer his Service to His Majesty, where he might be more useful. They were also careful to fortifie *Leith*, apprehending hazard from the Kings Fleet; and about fifteen hundred of all Sexes, yea and all Qualities, for encouraging of others, wrought about it till the Fortifications were compleated.

But



But of all men the Ministers were the busiest: the Pulpits did ring *An. 1639,* with the Ruine of Religion and Liberties; and that all might look for Popery and Bondage, if they did not now quit themselves like men. *and are much inflamed by the Ministers.* Curses were thundred out against those *who went not out to help the Angel of the Lord against the mighty,* (so oddly was the Scripture applied;) and to set off this the better, all was carried on with many Fasts and Prayers: and they forgot not to pretend much Duty and Affection to the King; but the Bishops and his other ill Councillours (as they called them) got the blame of all, and none more than the Marquis. By these means it was, that the poor and well-meaning People were animated into great extremities of Zeal, resolving to hazard all in pursuance of the Cause: for they were told, that the design was to reduce *Scotland* to a Province under the Power of the *English*, whose Oppression they must resolve to bear if they stood not now to their own Defence. Upon this it was that the Committees for War, which were held in the several Shires about the beginning of *February*, found small resistance, and no difficulty of levying Men; greater numbers being offered than could be either armed or maintained.

At *Edinburgh* the Session met with great trouble from the Covenanters; for the greater number of the Lords of the Session being resolved not to own the Assembly, all such Petitions wherein the Bishops were not designed as they ought to have been, but were called either pretended Bishops, or late Ministers of the Places where they served before their Promotion, were rejected: and some Signatures being offered in Exchequer, wherein they were so designed, *Traquair* took them and tore them to pieces. Of all this the Covenanters complained, as if Justice were denied; but it was told them, that if they went to force the Session, it would be High Treason, and that they would never yield to them. But the four Covenanting Lords of the Session having passed Petitions wherein the Bishops were so called, these were stopt at the Signet. The Covenanters made also great Complaints to the Council, of some persons who had written to *England* of their Designs to invade it; of which they protested themselves innocent, and craved liberty to pursue their Slanderers: but that was laid aside, only a Letter was written about it to the King. Yet all, at least most, of the Council, what through fear, what through inclination, went along with the Covenanters; and such as stood firm to their Duty, were forced to fly into *England*. *The Session is disturbed.*

The Covenanters made sure work of all the Shires; onely in *Tweeddale* *Traquair* resisted them a little, and got their Meetings to be deserted for two or three Diets; but that was all he could doe. In *Teviotdale* the Earl of *Roxburgh* kept all right, and begun to levy men as well as others; but he was faintly followed. The Marquis of *Douglafs* was not able to doe His Majesty that Service his Illustrious Ancestours had done the former Kings; for himself was a Papist, and so not followed by the Friends and Dependents of that Noble Family: so that all the Marquis could doe, was to go and wait upon His Majesty, and offer his House of *Tentallon* to be made use of as the King pleased. But the Covenanters seized both it and his House of *Douglafs*: and thus all on the South of *Tay* was lost without stroke of Sword. But in *Angus* the Earls of *Airly* and *Southesk* made more vigorous resistance to the Attempts of the Covenanters, and were able to have made that Country

An. 1639. good for the King, but could not withstand the Force came upon them from other Places. They all armed, and Earl *Airly* stood out to the Pacification, but *Southesk* was fitter for a Council than a Camp; and seeing inevitable Ruine to follow, since the Kings Preparations went on so slowly, he struck sail and came to *Edinburgh*. *Huntley* gave them more trouble: for my Lord of *Montrose* and *Kinghorn*, with some others, coming to hold a Committee at *Turreff* in that County, he gathered so many together, and came so near them, that they were forced to disperse themselves; yet he kept up his Commission of Lieutenantry, acting onely in the quality of a Peer and Councillour. But they resolved, since they could doe nothing against him with the men of that Shire, to bring a Body from other Places to ruine him. The want which pinched the Covenanters most at first was, of good Officers; and this made General *Lesley* (who at that time had acquired much Fame in the Wars of *Germany*) get an earnest Invitation sent him from the Earl of *Rother*, in the name of the Covenanters, to come home to command their Forces: upon which he did quit his Employment there, and came to *Scotland* with many other Commanders. He was chosen their General, and undertook the Service with much Joy. And this was the Posture and Preparations of *Scotland*, which I draw from the Letters that are yet extant, written to the Marquis from the Lords of *Traquair*, *Huntley*, *Airly*, and *Roxburgh*.

The King  
emits his  
Declaration of  
the Reasons of  
the War.

Mean-while the King went on, making all the haste with his Levies and Preparations that was possible, in which none acted his part with more Fidelity and better Dispatch than the Earl of *Northumberland*, who was Admiral, and discharged what was committed to him so well, that nothing was defective that concerned the Fleet. But the Marquis found the Hearts of many of the *English* Nobility both backward and cold; and in particular he assured the King, that he saw much Heartiness was not to be expected from some of the general Officers; which the King apprehending, trusted them as little as was possible. About the middle of *March* the King published a Declaration of the Reasons of his Expedition against *Scotland*, which was followed by a larger one, commonly called the Large Declaration or *Manifesto*, penned by *Balcagnal*, and revised by His Majesty: in which a full account was given of the rise and progress of the Combuitions of *Scotland*; of which no more shall be said, it being so commonly known, save that from the account hath been given it will appear, how unjustly that Book was charged to be full of Lies and Calumnies.

The Covenanters  
begin the  
War.

The News of this coming to *Scotland* set all a-flaming; whereupon they first sent in Papers and Letters through all *England*, and to the Court, vindicating themselves with high Protestations, that they designed not the Invasion of *England*, as had been misrepresented: and therefore they expected no Hostility from them, to whom they neither did, nor intended hurt. These Letters were said not to be ill-received, even by some at Court, who were in the highest Trust. The Covenanters also resolved to take the start of the King; and soon the 23<sup>th</sup> of *March* General *Lesley* with some Companies went to the Castle of *Edinburgh*, and petarded the Gates, and set Ladders to the Walls, and carried it, no resistance being made from those within. It is true, much could not be made; but that could not wipe off their stain, who yielded that impregnable and important Place so faintly. The occasion of their negligence was



was, that a Gentlewoman of good Quality was sent in under pretence *An. 1639.* of visiting the Captain of the Castle, to keep him in discourse: she dined with him, and engaged him to play at Cards, so that they were about his ears, before he was apprehensive of danger. *Dumblinton* run the same fate, it being surrendered by Sir *William Stewart*; whose only excuse was, that at his coming down the former year, he found the whole Garrison Covenanters, that he durst not turn them off, nor take on new Souldiers without a powerful assistance; and so finding them resolved both to deliver him and the Castle up, he could do nothing alone: besides that he was unprovided of every thing that was necessary for a Siege. The next day after the Castle of *Edinburgh* was seized, the Covenanters went to the Session to force the Lords to take the Covenant; but most of them refused it: then they seized on the Privy-Seal, and thought to have got the Great Seal, which the Marquis had committed to the keeping of an honest Servant Mr. *John Hamilton*, by their endeavours to prevail with him for it; but he refused to part with it except with his Life, and so preserved it.

Their next Attempt was upon *Dalkeith*, whither *Traquair* retired with a small Company: and he without stroke of Sword surrendered it, for which his Courage seemed more blame-worthy than his Honesty. But his greatest fault was, that he yielded up the *Regalia*, the Crown and Scepter which lay there, and carried them not with him: neither did he spoil the Arms that lay there, which since he could not carry with him, he ought to have done, and not to have left them to strengthen the Enemy. But from this he hastened to meet the King at *York*. *Roxburgh's* Misfortune followed this; his County being upon the Borders was of great importance for the Kings Service, and he kept it in pretty good order, till *Munro* came with some Forces out of other Shires: but his Son Lord *Ker*, whom he left with the Trust of all, (going himself to wait on the King) turned over to the Covenant. The News of this overtook *Roxburgh* in his Journey, in which he made the more haste, that he might be the first who should give the King an account of that unlucky Adventure, whereby he might prevent all Jealousies against himself.

The King set out from *London* the 27<sup>th</sup> of *March*, and came to *York* the first of *April*. The first blast of this Storm fell on *Huntley*, against whom the Covenanters sent a great Force both of Horse and Foot with some Cannon, commanded by the Earls of *Montrose* and *Marshall*. But Marquis *Huntley* finding himself unable to resist them, retired in some disorder to *Turreff*, and they followed him, taking *Aberdeen* in their way; which had hitherto stood for the King, but was now forced to render, the Bishop with the Doctors escaping by Sea to *Berwick*. At *Turreff* My Lord *Huntley* laid down Arms, where treating with them, by a surprize he and his Son the Lord *Gordon* were taken Prisoners, and brought over, and committed to the Castle of *Edinburgh*, where they lay till the Capitulation at *Birk*. I am sorry I want materials for saying more in the vindication of that Noble Person; but I must not dismiss one Story without taking notice of it, which is, that the Marquis is blamed, as having given him Orders to doe as he did. And this, with other Stories of the like truth, was put in to swell the Charge given in against him some years after this; yet it is strange that when the Viscount of *Aboyne*, who was *Huntley's* second Son, came to wait upon the

The Marquis  
of Huntley is  
taken prisoner.



*An.* 1639. the King at York, there was no Complaint made of that: nor when *Huntley* was enlarged and waited on the King, does there appear the least vestige of his alledging any thing to the Marquis his prejudice. The ground of the Story is this, the Marquis had written in the Kings Name, and by his Order, to the Marquis of *Huntley*, when he sent him the Commission of Lieutenantry (as hath been said) to beware as much as was possible, that he should not be the first Aggressor, till His Majesty were upon the Borders; for the King knew that *Huntley* could not resist all the Covenanters Forces, and to make a powerful Diversion when the King should be dealing with them in the South, was all could be expected from him. Likewise, the Marquis failed not to give weekly Advertisements of the progress of the Kings Preparations; which appears both from *Huntley's* Letters to the Marquis, and the Copies of the Returns he gave them, that are yet extant: and therefore there remains nothing upon this account to charge or suspect the Marquis his Fidelity.

The Marquis prepares for the Sea, and gets three Letters from the King.

The Marquis was left at London to see that the Fleet and the other Land Souldiers, who were to be shipped in some Colliers Vessels, might be ready to go aboard upon Order: and His Majesty wrote him the following Letter before he left London.

Hamilton,

I Received yours but this morning, to which before I answer, I must tell you News: First, that Jacob Ashly has possessed Berwick with 1000 Foot and 60 Horse, and Carlisle is likewise possessed by My Lord Clifford with 300 men; Secondly, I have commanded Traquair to keep his Chamber, until he give me an account how he left Da keith, without striking one stroke, and before any Cannon was brought before it, having left the Ammunition (not destroyed) to their reverence, and likewise the Regalia: of this more by the next. Now for Answer, I have given the Proclamation to be written over by the Clerk-Register, with the General Oath, both which you shall have with all speed: for your Military Oath, I like it extreme well, as likewise your opinion for detaining the Patents of Honours until the Country be settled; for your Brother, certainly if you had forgotten him I should not, but have remembered my old Engagement: and for Dalliel, indeed he deserves well; yet methinks a Viscounty may serve at this time, that I may have something more to give upon further occasion: and so I rest

York, 2 Apr.

1639.

Your assured constant Friend,

CHARLES R.

The next day he had that which follows.

Hamilton,

An. 1639.

Hamilton,

According to my promise yesterday I have sent you back the Proclamation and Oath, but with very few Additions. As touching Traquair I can say little more than I did, because I have not yet seen his Defence; only if I had not taken this rude notice of his base Action, I am sure I should have disheartened a number of better men than ever he was, or will be. This morning I have News of the safe Landing of the 500 Irish, which are by this time in Carlisle, there to attend until further Directions. I have no more at this time to say, but to know, if Col. Gun be not one that you have entertained, for it is said that he is going back again to Germany. One thing I had almost forgot; they say for certain that Aberdeen holds out still, and is not like'y to yield in haste; if it be so, you know what to do. And so I rest

York, 3 Apr.  
1639.

Your assured constant Friend,

CHARLES R.

The day following he got the next Letter:

Hamilton,

This is to tell you, that the News of the rendring of Aberdeen came immediately after the dispatch of the last Post, and that though Huntley be retired, yet he is neither beaten nor over-run: but the chief cause of my writing at this time is, that since I have shown the Proclamation to Orbiston and Sir Lewis Stewart, they have both been very instant with me to change something in it: which (though my Judgement goes with them in the most, and therefore I will not be wilful; yet) I think I shall alter, or (but rather) palliate one point, to wit, not to set Prices upon the declared Rebels Heads, until they have stood out some little time; which time is to be expressed in this same Declaration. Another thing is, whether and when to send you Devick; and lastly, whether I shall see you before you put to Sea, which I should be glad of, if it should not retard the Service: and so I rest

York, 5 Apr.  
1639.

Your assured constant Friend,

CHARLES R.

A Dispatch

Apr. 1639.

The hopes  
from Ireland  
fail.

A Dispatch came at this time from *Ireland*, shewing that it would be about the end of *June*, before the Lord Lieutenant could come with the Army he was preparing for His Majesties assistance: adding, that all *Antrim's* fair undertakings were like to vanish in Air, and that he was not able to doe as he had engaged; for after he had used many Arts, to find some colour of fastening the failing on the Lieutenants part, by unreasonable demands, finding him satisfied with them all, was forced to acknowledge that he was not able to doe the King the Service he had undertaken that Summer: yet most of the *Scots* in *Ireland* offered their Service very cordially, and willingly declared their dislike of the Covenant.

The King advises about the Indemnity he was to offer the Covenanters.

His Majesties next care was about His Proclamation for *Scotland*, wherein he gave an account of the *Affronts His Authority had received by the Covenanters*, and his designs to doe himself right, according to the Power and Authority God had put in his hand: withal offering Indemnity to such as should within eight days lay down their Arms, some few excepted; Declaring such as would not obey, Rebels, setting a Price upon their Heads, and ordering their Vassals and Tenants not to acknowledge them, nor pay them Rents. But by His Majesties Letters it will appear, how he was advised to change some particulars of the first Draught, to which Counsels His Majesty did willingly give ear: though there were some about him of both Nations, studious enough to dissuade him from any thing that looked like a temper; some carried on by their Revenge, and passionate Resentments: others were acted perhaps with worse Principles and Designs. In end His Majesty having resolved on a draught of a Proclamation, he sent one to the Marquis with this following Letter.

Hamilton,

I Send you with this my Proclamation, as I have now made it up on debate with Sir Lewis Stewart, wherein I have altered nothing from the first, but what I wrote you by my last; only I have added some things of favour to those that shall repent, which nevertheless are of so little moment, that although this should not come to your hands time enough, the other might pass very well. As for the publishing of it, I shall doe my best to get it proclaimed both in *Edinburgh*, and in the rest of the Kingdom: nevertheless you must not leave to doe your best for the publishing of it. So wishing good success as well to your Person as Cause, I rest

York, 7 Apr.  
1639.

Your assured constant Friend,

CHARLES R.

And with this Letter the King sent the following Order written with His Own Hand.

Hamilton,



An. 1639.

Hamilton,

**I** Send you herewith my Pleasure in a Proclamation to my Subjects of Scotland, and by this command you to use all sort of Hostility against all those who shall not submit themselves according to the tenour of the same; for which this shall be your Warrant.

York, 7 Apr.  
1639.

CHARLES R.

At the same time the Marquis received the following Letter.

Hamilton,

**I** Have spoken with Henry Vane at full, of all those things that were concerted betwixt you, and agree in all things but one, which is, that he thinks your going into the Frith, will make the Rebels enter into England the sooner; whereas on the contrary, I think that my possessing of Carlisle and Berwick hath made them so mad, that they will enter in as soon as they can perswade an Army together, except they be hindred by some awful Diversion: wherefore I could wish that you were even now in the Frith, though the Borders might be quiet till my Army be brought together, which they say will hardly be yet these ten days. Yet I am not out of hope to be at Newcastle within these fourteen days, and so to Berwick as soon as I may with either Honour or Safety; wherefore my Conclusion is, go on a Gods Name in your former Intentions, except I send you otherwise word, or your self find some inevitable necessity: and so I rest

York, 10 Apr.  
1638.

Your assured constant Friend,

CHARLES R.

## POSTSCRIPT.

*I have sent you ten Blanks, whereof four be Signaturewise.*

Both these found him at Tarmouth Road on the fifteenth of April, whither he was come to take in his Souldiers. The Officers were very affectionate to His Majesties Service, but did not know what their employment was to be, save that in general they were to go to Sea. When he told them they must go to Holy-Island, and there receive the Kings further Orders, they seemed surprized; yet were resolved on Obedience. Their men were good bodies, well cloathed, and well armed; but so little exercised, that of the 5000 there were not 200 that could fire a Musket. The occasion of this was, a Clause in the Councils Letter

The Marquis  
is at Tarmouth  
to put his  
Souldiers a-  
board.

R

ter

*An. 1639.* ter to the Lieutenants of the Counties, in which they were levied, that if other good men could be had, the trained men should be spared; and the Deputy-Lieutenants upon this ordered it so, that not so much as the Serjeants and Corporals were trained. But whether there was a Design in this God knows, for nothing appears to make it out beside Jealousies. This was a great affliction to the Marquis, for he knew the King confided much in him; and yet he saw there was an Impossibility of his doing any thing to purpose, till the Souldiers were some ways exercised; which he caused doe upon the Ships as frequently as was possible. The furnishing them with Water and other necessities, together with Cross Winds, kept them some days in the Road; and before they got out of it, the Marquis received the following Letter from His Majesty.

Hamilton,

*I* *is true that I was content to hear your Advice concerning your going into the Frith, it being chiefly to shew Henry Vane, that your Judgement went along as well as your Obedience: though I had a care ever to take off from you the envy of seeking this particular Employment, taking it; as it is just, upon my own absolute Command; yet I will not say, but that you might have cause to wonder, because neither of us expressed our selves so clearly as we might. But my chief errand to you at this time is, that upon serious Debate upon your long Letter to Henry Vane, only with him and Arundel, (for I dare trust no other) we found no reason to alter my former Commands, but were more confirmed in the fitness of them; only we have thought requisit to alter some things in the Proclamation, which you shall receive by the next Dispatch, at furthest within a day or two of this: so that you are not to (indeed I think you cannot) publish any, until the New one come to you, (for I believe it will be at the Holy-Island before you;) the Alterations of which you will only find to be, that I do not say all I think; but in no ways slack my Resolution, much less seem to yield to any new thing. So referring you to Henry Vane for the relating of our Proceedings here, I rest*

York, 18 Apr. 1639.  
at ten a clock at night.

Your assured constant Friend,

CHARLES R.

About the end of the Month he set Sail, but the Winds were contrary, and so it was the 29<sup>th</sup> of the Month e're he got to *Holy-Island*; where he met the following Letters from His Majesty.

Hamilton,

An. 1639.

Hamilton,

**A**ccording to my Promise on Thursday last, I send you herewith the Proclamation altered as I then wrote; and that you may not think that these Alterations are grounded upon new Counsels, I shall desire you to observe, that I do not so much as seem to adde the least thing to my former Promises. It is true, that I neither mention the late pretended General Assembly at Glasgow, nor the Covenant, at this time: my reason is, that if for the present I could get Civil Obedience, and my Forts restored, I might then talk of the other things upon better terms. As for excepting some out of the General Pardon, almost every one now thinks that it would be a means to unite them the faster together; whereas there is no fear, but that those who are fit to be excepted, will doe it themselves by not accepting of Pardon, of which number I pray God there be not too many: So that you are now to go on according to your former Directions, onely proclaiming this instead of my former signed Proclamation; and so to proceed with Fire and Sword against all those that shall disobey the same. So praying to God to prosper you in all things, I rest

York, 10 Apr. 1639.  
at 4 in the Afternoon:

Your assured constant Friend,

CHARLES R.

Hamilton,

**B**efore that this come to your hands you will have received two of mine of an elder Date, to which I can adde so little, that if I had not received yours of the 18<sup>th</sup>, I would not have written at this time. You have done well in laying all the Doubts before me, and shewing all your Defects, (for which I am heartily sorry) by which I see there is not so much to be expected as otherwise there might: yet I continue my former Resolution, being glad that your own inclination leads you thereto; recommending Tantallon to your thoughts, for the which I have agreed with the true Owner. Think not of the North untill I have done some good in the South. I shall haste to Berwick as soon as possibly I may; but I fear it will not be before the 12<sup>th</sup> of May, and I hope the 15<sup>th</sup> will be the latest. So hoping to have a merry meeting with you in Scotland, I rest

York,  
23 Apr. 1639.

Your assured constant Friend,

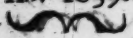
CHARLES R.

R 2

With



An. 1639.



With these he got also the following Note in answer to his last Letter from *Tarmouth-Road*.

Hamilton,

**H**AVING opened your Pacquet to Master Treasurer, I could not but tell you, that I could not but pity your cross Winds, and commend your Diligence : and so I rest

York,  
25 Apr. 1639.

Your assured constant Friend,

CHARLES R.

Having received these Orders he held on his Course, and on the first of *May* he entred the *Frith*, and found the fittest place to cast Anchor in was *Leith-Road*. The Covenanters had committed a great escape, in not building a Fort on *Inchkeith*; which might have occasioned much trouble to him, besides that it would have kept that Place from him, which proved of great use to his weary Souldiers. As soon as he came thither, Fires were presently set up on all the Hills to gather the Country for the defence of the Coast, which they expected he should have set on immediately. But he was first to get the Proclamation published, wherefore that same night he sent one ashore with a Letter to the Clerk of the Council, commanding him to come aboard. He wrote also to the Magistrates of *Edinburgh* to send him to him. The Bearer of these Letters was used civilly, but kept as a Prisoner; and the Town-Council of *Edinburgh* excused themselves from sending the Clerk of the Council to him. The Clerk also wrote to him, that he was kept by Force from coming to wait upon him. Next day he landed his Regiments on *Inchkeith* and *Inchcolm*, (two little Islands in the *Frith*;) one of them upon the former, and two on the latter, both for giving them air, and exercising them. He caused also search and cleanse the Wells of these Places, which gave great relief: but at this time the Small Pox got among his Men, whereupon he put all the Infected in Ships by themselves; some few died. Yet for all the stories were made of his Mens dying below Decks, very few died during his whole stay at Sea; and he divided his care so equally among them, and was so obliging to them all, that they not onely were far from mutinying, but all of them became most cordial to him: and the Colonels did highly magnifie both his Conduct, and his obliging Civilities to them, in their Letters to Sir *Henry Vane*.

He sends the  
Kings Procla-  
mation to  
*Edinburgh*.

Three days after his former Message he sent one ashore with His Majesties Proclamation, (inclosed in a Letter to the Magistrates of *Edinburgh*) commanding them to publish it next day in due form, under all pains; and sent another Proclamation to the Clerk of the Council, commanding him to see it published; or if that were not done, to cause affix it at the Cross. And next day at the hour wherein it ought to have been published, he caused loose some Peece of Ordnance: but the Magistrates of *Edinburgh* desired a delay of three days; to which he yielded because he was willing it might fall out so, that as soon as the eight days

pre-

prefixed in the Proclamation were expired, His Majesty might be on the Borders, that so they might be ready to enter into Hostilities immediately. Upon which he wrote to His Majesty what he had learned of the Strength and Resolutions of the Covenanters, suggesting how necessary he believed it was to listen to a Treaty, if the Covenanters desired it. An. 1639.

On the 9<sup>th</sup> of May he received the following Letter, signed by about 40 of the chief Lords and Gentlemen of the Covenant, the Original whereof is yet extant.

Please your Grace,

**A**S we were here met to attend the Parliament indicted by His Majesty, there was shewed to us by the Provost of Edinburgh a Letter from your Grace to himself, and the Bailiffs, and Council of this City, with the Copy of theirs returned to your Grace, deferring the more full Answer till our Meeting. And withall there was presented from your Grace His Majesties Proclamation, which having perused, we find it doth contain divers points not onely contrary to our National Oath to God, but also to the Laws and Liberties of the Kingdom: for it carries a denunciation of the high crime of Treason against all such as do not accept the Offer therein contained; albeit it be onely a Writing put in Print without the Kingdom, and not warranted by Act and Authority of the Council, lawfully convened within this Kingdom. And your Grace in your Wisdom may consider, whether it can stand with the Laws, Liberties, and Customs of this Kingdom, that a Proclamation of so great and dangerous Consequence, wanting the necessary Solemnities, should be published at the Mercat-crofs of this City. Whereas your Grace knows well, that by the Laws of this Kingdom, Treason and Forfeiture of the Lands, Life, and Estate of the meanest Subject within the same, cannot be declared but either in Parliament, or in a Supreme Justice-Court, after Citation and lawful Probation, how much less of the whole Peers and Body of the Kingdom, without either Court, Proof, or Trial. And albeit we do heartily and humbly acknowledge and profess all dutiful and civil Obedience to His Majesty as our Dread and Gracious Sovereign: yet since this Proclamation does import in effect the renouncing of our Covenant made with God, and of the necessary means of our lawful Defence, we cannot give Obedience thereto, without bringing a Curse upon this Kirk and Kingdom, and Ruine upon our selves and our Posterity; whereby we are persuaded, that it did never proceed from His Majesty, but that it is a deep Plot contrived by the Policy of the Devilish Malice of the known and cursed Enemies of this Church and State; by which they have intended so to disjoyn us from His Majesty, and among our selves, as the Rupture, Rent, and Confusion of both, might be irreparable, wherein we hope the Lord (in whom we trust) shall disappoint them. And seeing we have left no means possible unessayed, since His Majesties coming to York, (as before) whereby His Majesties Ear might be made patent to our just Informaticns, but have used the help (to our last Remonstrance) of the Lord Gray, the Justice-Clerk, the Treasurer, and the Lord Daliell, as the Bearer can inform your Grace, and yet have never had the happiness to attain any hopes of our end, but have altogether been frustrate and disappointed thereof; and now understanding by the sight of your Graces Letter, that your Grace as His Majesties High Commissioner is returned with full Power and Authority to accommodate Affairs in a peaceable way, we will not cease to have recourse to your Grace, as one who hath chief Interest in this Kirk and Kingdom, desiring your Grace to consider,

(as

*An. 1639.* (as in our Judgments we are persuaded) that there is no way so ready and assured, to settle and compose all Affairs, as by holding of the Parliament according to His Majesties Indiction, either by His Sacred Majesty in Person, which is our chiefest desire, or by your Grace as His Majesties Commissioner, at the time appointed, wherein your Grace shall find our Carriage most Humble, Loyal, and Dutiful to our Sovereign, or to your Grace as representing His Majesties Person: and in the mean time that your Grace would open a safe way, whereby our Supplications and Informations may have access to His Majesties Ears. And we are fully persuaded, that we shall be able to clear the Lawfulness and Integrity of Our Intentions and Proceedings to His Majesty, and make it evident to His Majesty, and to the World, that our Enemies are Traitors to the King, to the Church and State; and that we are and ever have been His Majesties Loyal and Obedient Subjects. So we rest

Edinburgh,  
9 May, 1639.

Your Graces humble Servants,

A. Lesley	Dalhousie	Forrester
Argyle	Lothian	Erskins
Marre	Angus	Boyd
Roths	Elcho	Napier
Eglinton	Lindesay	Burghly
Cassils	Balmerino	Kirkudbright
Wigtown	Montgomery	

And about 30 Commissioners for Shires and Burroughs.

To this Letter the Marquis wrote the following Answer next day, directing it to the Earl of Rothes.

My Lord,

I Received a Letter yesterday morning signed by your Lordship, and divers Noblemen, and others, wherein you alledge you are come to attend the Parliament; but considering your Preparation and Equipage, it appears rather to fight a Battel, than to hold a Civil Convocation for the good of the Church and Commonwealth. You may perceive by His Majesties Gracious Proclamation, that he intended in His Own Sacred Person to be present at the Parliament, so soon as with Honour and Safety he might doe it, and for that end exprest therein what was fit to be done. But these Courses which you take, and your Disobedience to his Just Commands, daily more and more shewed, will necessitate him to have them put in execution another way.

It is true, that His Majesty sent me hither to accommodate these Affairs in a peaceable manner, if it were possible, which I have laboured to doe; and accordingly my Deportment hath been, which hath been met with that Retribution, as if I had met with the greatest Enemy: but your refusing to publish His Majesties Grace to his People, signified in his Proclamation, hath taken away that Power which otherwise I had; that being a Liberty taken to your selves, which never any Loyal Subjects assumed in any Monarchy. You alledge many Reasons for your selves, of the Illegality of that Proclamation; but you cannot be ignorant, that your Carriage hath forced many of these principal Councillours for safeguard of their Lives to forsake the Kingdom, out of which they remain yet for the same cause. You have suppressed the Printing of all Writings,



tings, but what is warranted by Mr. Alexander Henderson, and one Mr. Archibald Johnstoun: neither was the Clerk of the Council, whom I sent for twice to give him Directions concerning this Business, permitted to come aboard to me, upon Conference with whom (for any thing you know) I might have resolved to come ashore my self, and convened a Council for the Publication thereof in the ordinary way. But your extraordinary Proceedings in all things must needs force from His Majesty some things, which perhaps you may think not ordinary. Whereas you desire me to be a means that your Supplications may have free access to His Majesties Ears, it is a work of no difficulty; for His Majesty hath never stopt his Ears to the Supplications of any of his Subjects, when they have been presented to him in that humble and fitting way which became dutiful Subjects: nor did I ever refuse any all the time I was among you, or conceal any part of them from His Majesty. So that your Allegation of not being heard, is grounded upon the same false Foundations that your other Actions are; and serves onely for a means to delude the simple People, that by making them believe what you have a mind to possess them with, they may become backers of your unwarranted Actions; which as it is generally lamented by all His Majesties good Subjects, so it is more particularly by me, who have had the Honour to be employed in this Business with so bad Success.

My Lord,

Your humble Servant,

HAMILTON.

After this on the 11<sup>th</sup> of May a Letter came from the Council and Session, desiring liberty to send some of their number to wait on him, which being granted, Southesk and Innerpeffer, came to him with a very bare Message, asking what he had to propose: he said it was contained in the Proclamation, to which he could neither adde nor change. They represented to him the Rage in which all People were, and how hard a Work it would prove, either to reclaim them by Reason, or conquer them by Force, unless way were given for some time to their Follies.

Some come  
aboard and  
treat with  
him.

On the 13<sup>th</sup> day he received a Letter from His Majesty, which follows.

Hamilton,

**T**He length of Henry Vane's Dispatch will shorten this, not being willing to trouble my self with writing, nor you with reading, of Repetitions. This I must observe to you, that whatsoever either he or I writes at this time is no absolute Command, but meerly Advices to help your Knowledge, that you may the easier judge what is best for my Service. Upon this ground I send you here a Discourse of Mr. Thomas Hamilton's, wherein many things to my seeming are very well said, but how far practicable, or when, I leave you to judge; as likewise upon the whole matter I give you my Opinion, that if you find

An. 1639. find it not fit to land all your 5000 men upon Lothian-side, then it may be counsellable to send most of your Land-men to the North, to strengthen my Party there. As for your landing in the South, I shall onely name two Places besides Tentallon, to wit, Sterlin, (if that be not too far off to be relieved) and Dumbarton: as for Tentallon, I shall command the Marquis of Douglass to send one to agree that business with you. So longing to hear from you, and wishing you good luck, I rest

Newcastle,  
May 8. 1639.

Your assured constant Friend,

CHARLES R.

To this shall be added the Paper mentioned in the Kings Letter.

A Paper of the  
Ferries in  
Scotland.

**T**HE River of Nessie is large and deep, falleth out of a Lake named Nessie 24 miles long, and 5 or 6 in breadth, into a great Bay of the Sea. On this River standeth the Town of Innernessie, which hath a strong Castle, in the keeping of the Marquis of Huntley, as yet not taken: if in this Town and Castle were put a competent Garrison, with a Ship and Pinnace in the Bay, you might break the Ferry-boats, and stop all Passages from Northward of that River.

The River of Tay falleth out of a Lake ten miles long, and one and an half broad, from whence the River hath the name, which is the main and onely Passage between the North and the South parts of the Kingdom. This River falleth into the East Sea below Dundie, the biggest Town almost in Scotland. At the entry to the Sea it is two miles broad, and continueth the same breadth upward till within three or four miles of Saint Johnstown, between which Town and Dundie there are 16 miles and above, at no part whereof there is any Passage but by Ferry-boats. If a few Ships would ride at the mouth of this River below Dundie, and send up some small Pinnaces, they might break all the Ferry-boats, and stop all the Passages that could be made over at any part, between the North of the River and the said Town of Saint Johnstown; above which to the said Lake the River is not ridable, but at some few Fords; the Passages whereof might be kept by the Noblemen who stand well-affected to His Majesties Service, and whose Estates do lie thereabouts in Strathern: such as the Earls of Airly, Perth, Tullibardin, and Kinnowl, who if they were sent home with a competent number of Souldiers to attend them, all those of their Name, their Friends and Tenants gathered unto them, might stop all Land-passages whatsoever from North to South.

And in case the People of Fife, who dare not now cross Forth-river in regard of your Majesties Ships, should march with Supply by Sterlin-bridge to Lothian, these Noblemen with their Forces might be in some narrow Passage in their way; and if they could not force them to retire, yet they might fall upon their Country in their absence, so that they could not both be able to defend their Sea-coasts, and secure them from danger on their backs: neither durst they all turn back on Strathern, for fear that those of the Fleet should land on their shores in their absence.

The

*The Shire of Perth would be a Rendezvous and safe retreat to all those of An. 1639. Fife, Angus, Strathern, and Highlands, who upon this Proclamation shall abandon the Covenanters Party, and stand for His Majesties Service.*

*These four Noblemen, with the number Your Majesty will send with them, might be sent almost to their Dwellings by Sea on the said River.*

*If the Town of Sterlin were seized, these River-passages made sure, and the Town of Aberdeen secured, in regard of Your Majesties Forces in the North, no harm could be expected from benorth Leith.*

The 13<sup>th</sup> of May the Marquis received the following Letter, signed, but not written, by the Earl of Rothes.

Please your Grace,

I Should have been far better contented to have seen you here at the Parlia-  
ment with His Majesty, or holding that indicted as His Majesties Commis-  
sioner, than with a Navy and Army to constrain us beyond these just limits of  
Religion and lawful Obedience, which we were always willing to perform. It  
was far by my Expectation, and your Graces Oath and Promise, that you should  
ever come in any chief Command against your Native Country. Whereas your  
Grace doth challenge our coming in such numbers to attend this Parliament,  
I hope you conceive that this Navy and Army upon the Borders, and the Inva-  
sion threatened in the West, do sufficiently warrant our Preparations to defend  
these places, and divert such dangers. That Proclamation that is said to car-  
ry so much Grace and Goodness, is as destitute of that, as your Invasion is of  
a good Warrant; which persuades me, that neither of the two proceeds from  
His Majesties own Gracious Disposition. I cannot stand here to answer all  
these misconceived particulars, contained in your Graces Letter; but if I had  
the Honour to see your Grace, before any more mischief be done, I dare engage  
my Honour and my Life to clear all these Imputations laid on our Proceedings;  
and I can demonstrate how hardly we have been used without any just reason.  
I dare not be answerable to God Almighty, and to that Duty I owe my Prince  
and Country, if I do not shew your Grace, that your going a little further in  
this violent and unjust way will put all from the hopes of Recovery, for which  
both a great deal of Blame from Men, and Judgment from above shall attend  
you, as the special Instrument, which I wish you labour to evite. If our Destru-  
ction be intended, we are confident in that Majesty who owns this Cause, and  
is able to defend it: and if onely Terrours to fright, and prepare us to accept  
of any Conditions will be offered, that Intention is already as far disappoint-  
ed as any of these many former. But as we are ready to defend, so ever to in-  
sist in supplicating, and using all humble and lawful means, as becomes us.  
Mr. Borthwick will deliver to your Grace our Supplication to His Majesty,  
and both his and my mind, till I shall have the occasion to disburden my self sur-  
charged with grief at your Proceedings; being most desirous (as I have been  
formerly) to have all these occasions removed that may divert me from be-  
ing still

The Earl of  
Rothes his Let-  
ter to the Mar-  
quis.

Your Graces humble Servant,

ROTHES.

On the 17<sup>th</sup> of May the Marquis returned the following Answer to the former Letter.

S

My



An. 1639.

The Marquis  
his Answer.

My Lord,

I Have received your Lordships Letter signed by you, but I cannot conceive it of your Lordships enditing; for I believe you would not have sent such an one to me, if you had not had some malignant spirits busied in the framing of it; for you cannot but remember that my words were never other, than that I would die at my Masters feet, and that I would prove an Enemy to the utmost of my Power to this Kingdom, if my Countrymen continued in their Obstinacy: and here I set it under my Hand, that I will (by Gods Grace) make it good. It is true, knowing my own inability, I neither desired, nor indeed willingly did accept, the Conduct of an Army against this Nation; but my backwardness proceeded not out of a desire not to be employed against such in this Country as were disobedient, but that His Majesty might have found many more able to have served him: but since he hath been pleased to trust me, I will not deceive him.

You pass by many particulars in your Answer to my Letter untouched, saying, you cannot stand here to answer them. It is most true, they are not to be answered, and so I take it. As for your own Justification, it is the same which you have ever used, and so continue: but the best is, none that ever were truly informed of your Proceedings, doth or can give any approbation of them.

You say, If I go any further in a violent course, it will be past all hope of Remedy. If I doe, none can blame my Master, for that can never be called Violence which is onely to suppress Rebellion: and if I proceed to execute his Commands therein, you are the causers of it. As Mr. Borthwick told me, I expected to have heard further from you before now: but nothing coming, I would forbear no longer to give you this Answer under my Hand, that both you and all the World may take notice what my Inclinations are, which notwithstanding I do infinitely desire they may be stopt by your speedy and real Submission to His Majesties just Commands. And this is the prayer of him who wisheth it may be still lawful for him to call himself

From aboard the Rain-  
bow, 27 May, 1639.

Your Lordships humble Servant,

HAMILTON.

The Kings  
Proclamation  
not suffered to  
be published.

Upon this the Marquis was hopeless of getting the Proclamation published: wherefore he sent a great many Copies of it to all places, as he had occasion, to be dispersed over the Country. At the same time the King sent Sir James Carmichael the Treasurer-depute to Edinburgh, to get it published; and he meeting the Lyon-Herald require him to go doe his Duty; but he was timorous, and being threatned with his Life, as he was going to the Cross, run away without putting on his Coat.

The Marquis  
proposeth a  
Treaty to the  
King.

On the 14<sup>th</sup> of May the Marquis dispatched Sir James Hamilton to the King, with an account of all he had learned; desiring positive Orders how to proceed: whether eight days being now passed since he had offered the Proclamation, he might not proceed to Hostilities; or if he should continue talking in the language of a Treaty: and sent the following Paper to Sir Henry Vane, of the Heads on which he thought a Treaty might be set on foot.

If

An. 1639.

**I**F they can be brought to lay down their Arms, and every man to repair in quiet manner unto their own Dwelling, except such who are to attend the Parliament.

I.

If they can be brought to deliver up Your Majesties Castles, and other private mens Houses they have taken, with the Arms and Ammunition they have taken.

II.

If they can be brought to express their Sorrow, that they have offended Your Majesty, and humbly crave Your Majesties Pardon for the same.

III.

If they can be brought to supplicate, that what they have to say against Bishops may be heard in the next Parliament; and as their Desire shall seem just or unjust, there to receive a Ratification or Denial.

IV.

The like for the last pretended General Assembly.

V.

If they in all Civil things will acknowledge Your Majesties Authority, and swear Obedience to the same.

VI.

If they will desist from their going on in their Fortifications, and they onely to remain in the estate they are in till the end of the Parliament. Though there is little hope of doing good by Treaty, or that they will condescend to this; yet I thought it my duty to give Advertisement of this, and humbly to crave Answer and Orders in writing, how far I shall give way, and how I shall carry my self.

VII.

Hamilton.

*I shall desire that none may see this but His Majesty, or at least that it be not known that it came from me.*

In Answer to this His Majesty wrote him the following Letter.

Hamilton,

**I** Have kept this honest Bearer the longer, that I may with the more assurance give you my Directions what to doe, consisting of two points, Fighting and Treating: for the first, we are still of the same Opinion, that it is not fit that you should give on untill I be on the Borders, which will be (by the Grace of God) by this day eight days, except you find that before that time they march down to meet me with a great Strength. In that case you are to fall on them immediately, and in my Opinion as far up in the Frith as you think probably may doe good, thereby to make a Diversion. In the mean time I like well, that you go on upon that ground of Treaty you sent a Note of to Master Treasurer, (which you will find I have underwritten) no body else being acquainted with it. Thus having given you my Directions both concerning Fighting and Treating, I leave the rest to the faithful Relation of the honest Bearer, and rest

Newcastle,  
17 May, 1639.

Your assured constant Friend,

CHARLES R.  
And

An. 1639.

And with this Letter His Majesty sent back the Note of the Grounds of Treaty, which was sent to Sir *Henry Vane*, with the following words written at the end of it with his own Hand.

of which His  
Majesty ap-  
proves.

*I like well that you go on upon those Grounds of Treaty untill I come to the Borders : which will be (by the Grace of God) by the 15<sup>th</sup> of this Moneth.*

Newcastle,  
16 May, 1639.

C. R.

After this the Marquis was assaulted with thundering Letters from all Hands, both from Ministers and Noblemen. Many of these Letters, with the Copies of his Answers, are yet extant, and run in a strain very far from any thing of Friendship or Correspondence ; indeed they look liker Challenges than Letters of Civility. The Covenanters desired a Safe Conduct for such as they should send to him to treat with him : but he answered, he was the Kings Commissioner, and so would give no Conduct for any of his Subjects coming to wait upon him. And after a days Advise ment, they sent the Lord *Lindsay* (the Marquis his Brother-in-law) aboard with a Petition of the former strain, who told the Marquis, that they would lay down their Lives sooner than pass from what they had done ; that their Army consisted of 25000 Men : they knew the Kings Cavalry was better than theirs, but their Infantry exceeded his far. After some Discourse had passed, (all before Witnesses) the Marquis dismissed him. In the mean while all Trade was stopt, and every Vessel that belonged to *Scotland* was seized : onely such as took an Oath for adhering to the King against the present Rebellion in *Scotland*, were let go, according to His Majesties Orders. One Vessel was taken which was of more Importance, having in her about twenty Officers, who were coming home from *Germany* upon *Lesley's* Invitation. All these the Marquis sent to *Berwick*. He sent also a free Advice to the King, informing him of all he knew of their Strength : and that besides the Army, which was marching to the Borders, there were about 20000 Men lying on both sides of the *Frith*, so that his being there made a powerful Diversion. He besought His Majesty not to hazard on a Battel, the success whereof was always dubious, but more than commonly so in this case, where the one side was desperate, and the other but half cordial. He told His Majesty, how much he feared his Foot might be too weak, wherefore he desired His Majesty to consider, if he would call for two of His Regiments ; since all the three were not sufficient for him to land with them, and march into the Country, and one was enough to burn the Coast, which was all he could doe : and for that he was resolved not to fail in it as soon as he had Orders ; adding, that in a Fortnight he would doe all that could be done that way : after which he thought it would be fittest, that he went Northward, and landed His Regiments there, (which must be supplied another way, if His Majesty called for any of them) where some good might be done. But as for Treating, he desired His Majesty would imploy others in it, if that were to be done ; for he confessed his Spirit was so irritated against them, that he desired nei-



neither to see nor meddle with them: onely he told His Majesty, that *An. 1639.* the Covenanters had address'd both their Letters and Petitions to some *English* Lords, which he thought they should have brought to His Majesty unopened, and given no other Answers but such as His Majesty ordered.

On the 26<sup>th</sup> of May he received the following Letter from His Majesty.

Hamilton,

**R**umours come here so thick, of the great Forces that the Rebels mean very shortly to bring down upon me, that I thought it necessary to advertise you, that you may be ready at the first Advertisement to land at the Holy-Island, wind and weather serving; yet not to come from where you are untill I send you word, except you shall find it necessary by your own intelligence: and so I rest

Newcastle,  
22 May, 1639.

Your assured constant Friend,

CHARLES R.

#### POSTSCRIPT.

I leave it to your Consideration, if it be not fit to leave some 300 Men in Inchcolm, though it should be fit that you should come away with the rest of the Landmen.

And the day following Sir Henry Vane wrote to him to send two of his Regiments to Holy-Island, to which Letter the King added with his own Pen, The King calls for two Regiments from the Marquis.

I have seen and approved this;

C. R.

Upon this Order the two Regiments, commanded by Morton and Harecoat, were accordingly dispatched away immediately, and did land at Berwick on the 29<sup>th</sup> of May. About this time the Covenanters sent a new Message to the Marquis, the account whereof shall be given from a Paper written by Sir Henry Devick, who was particularly trusted by His Majesty at this time, and was a Witness to the Conference. The Paper follows.

**T**HE whole Discourse (so far as I can remember of it) may be reduced to these Heads. A Conference betwixt some Covenanters and the Marquis.

Their Invitation of your Excellence to go in person to His Majesty, to present their Desires, and to mediate for an Accommodation.

To this your Excellence answered.

First, that having full Power from His Majesty to treat and conclude of all things concerning that Business, you held it unnecessary to go to him.

Se-

An. 1639. Secondly, your Excellence thought it unfit, you having so great a Charge here, which required your presence, and they having propounded nothing that could give sufficient occasion to such a Voyage to undertake it.

Thirdly, that if the distance from His Majesty were thought by them to be a hindrance to the Treaty, they might address themselves to His Majesty by such of the Nobility as were about him, who was not distant above threescore and twelve miles from the Leaguer.

They replied, that things would be more facilitated by your Excellence's being there, wishing, that as you had a part in the beginning of these Affairs, you might have the Honour to put an end to them.

Your Excellence returned, that the Lords Traquair and Roxburgh, who were now with His Majesty, were employed in them before you; which they acknowledged, but wished it had never been, confessing that they were spoiled before you had the managing of them.

Concerning a Cessation of Acts of Hostility, both by Sea and upon the Frontiers, where they complained of divers Insolencies committed by the Horse-troops of His Majesty; your Excellence answered, That in what concerned the first, you had committed none since your coming hither: true it was, you had stayed and taken many Barques and Boats, but some of them you had dismissed without touching any thing that they had in them; and these from whom you did take to supply your uses, you had paid them for it: that this day you had sent to Burnt-Island, and would doe so to other Places, to offer them full permission of Trade, provided they would swear not to carry Arms against His Majesty, and take the Oath of Fidelity; and for the Fishermen you required no Oath.

As for the other, namely some pretended Insolences upon the Frontiers, you knew of none, and believed not any; and if there was any it was their fault, by their deferring to return to their Obedience to His Majesty: and when they made Instance in some particulars, your Excellence did cut them short, and said, That it was an unfit thing, and nothing conducive to make an end of Business, for them to stand upon those Punctilio's with their Sovereign; and for your particular, you would never be an Instrument of any dishonourable Act to His Majesty, such as would be the engaging him not to correct the Misdemeanours of his Subjects: that you had made a like Answer when you was demanded for Pass-ports to those that should come to you; which you had rejected, as judging it dishonourable for His Majesty to grant, or any of his Subjects to ask or capitulate with His Majesty for.

They pressed to know what His Majesty required of them, and what would be the extent of his condescending to their Desires in point of Conscience, namely touching Bishops, and the Acts of the last General Assembly; wherein they said if they might have satisfaction, they would cast at His Majesties feet their Bodies and Fortunes, to be disposed of at his Pleasure.

In answer to this your Excellence caused me read His Majesties Proclamation, wherein desiring to be cleared of His Majesties Intentions, in the particular of the Civil Obedience, your Excellence said, it was the retiring with their Troops, laying down their Arms, and the Nobilities waiting on him with their Swords onely upon the Frontier, the restoring of His Majesties Castles unto such as His Majesty should appoint, and the demolishing of their own Fortifications unlawfully erected, and the like.

As for the enjoying of Liberty of Religion, wherein likewise they did press to know how far His Majesty would condescend to their humble Supplications, as likewise in the point of the Acts of the last pretended General Assembly, your Excellence

cellence answered, It would be so far as the Laws of the Kingdom did permit. *An. 1639.*

They asked who should judge of these Laws, and of their intention, and if it might be decided by a General Assembly: Your Excellence answered, Yes, and that either His Majesty would call one, or your self, as His Majesties High Commissioner.

They desired to know if His Majesty would stand to the Award of such an Assembly, especially in what concerned the Acts of the later.

Your Excellence answered, His Majesty was not bound to it, as having his Negative Voice; which they not acknowledging, your Excellence added, that notwithstanding you were confident, that whatsoever should be agreed on by such an Assembly, called by His Majesties Command, and where the Members should be legally chosen, His Majesty would not only consent unto them, but have them ratified in Parliament.

They desired your Excellence would limit them a time wherein to return, and treat further with you, with full power to conclude all things wherein they desired not to be pressed with scantness of time, in regard of the Nobilities being dispersed in several places of the Country.

Your Excellence answered, it should be when themselves would, were it to morrow or a moneth hence; for you assured them, they would find you so long in these quarters.

Lastly, they desired to know, what they might report of what your Excellence had assured them of His Majesties Intentions concerning Religion and the General Assembly.

Your Excellence answered, that as they brought no Commission to treat of all these particulars, but kept themselves within the limits of the Contents in their Letters, you would doe accordingly in your Answer, and that in writing they should receive something to morrow.

This was that Conference which some were pleased to misrepresent under the odious Characters of Treacherous and Secret Dealing with the Covenanters.

At this time there were divers Scottish Lords and Officers waiting on the King, but being of no use and burdensom to His Majesty, he sent them to the Marquis, with whom he wrote the following Letter.

Some Lords  
come from the  
King to the  
Marquis.

Hamilton,

I Cannot let these Lords go without a Letter, it being more to please them than to inform you; there having nothing happened since my last of the 17<sup>th</sup> that makes me either alter or take new Counsels: so that this is onely to recommend them to your care, in so far as may comply with my Service; which shews you both my good Opinion of them, as likewise that I am

Newcastle,  
21 May, 1639.

Your assured constant Friend,

CHARLES R.

But



An. 1639.

But the Marquis was very ill-satisfied with their coming to him, since they were able to doe nothing but help away with his Victuals, which were beginning to run low, and therefore were to be well-husbanded; wherefore he perswaded them that it was fit for them to go to the Places of their Interest, and doe what in them lay for getting some to appear for the King: and so he got himself rid of them the best way he could.

Two days after that the Marquis got the following Letter:

Hamilton,

**T**He Trust I have both in the Honesty and Sufficiency of this Bearer, shall ease me much at this time; therefore I shall onely mention what he shall speak of more fully to you. The Lord Aboyne's Proposition I have in my last recommended to you, though at that time I thought not that himself would have been the Messenger of it: other Lords I have sent to you, to see if they can doe me better Service there than here, for here I am sure they can doe none. I shall conclude with that with which I have neither acquainted this Bearer, nor any body else, to wit, your Proposition of packing up this Business. It is true, that according to my Proclamation I would rest quiet for this time, upon their yielding me Civil Obedience; but that must be understood by demanding Pardon for their by-past Disobedience, and rendring up what they unjustly possess of mine and others. Less than this I will not be contented with, no, not for the present. For all this, I do not take myself to be in such a case as to conquer them, yet I doubt not but (by the Grace of God) to force them to Obedience (in time.) what by stopping of their Trade, and other courses: therefore go on, for this is the Resolution of

Your assured constant Friend,

CHARLES R.

After them the  
Viscount of  
Aboyne.

But on the 29<sup>th</sup> of May the Lord Aboyne came to him with the following Letter from the King.

Hamilton,

**H**AVING been some days since I wrote to you, I could not let my Lord Aboyne go without these Lines, though it be rather to confirm than to adde to my two former: onely I shall desire you to take heed how you engage me in Money-expence. As for what Assistance you can spare him out of the Forces that are with you, I leave you to judge, and I shall be glad of it if you find it may doe good.

The

*The truth is, that I find my State of Moneys to be such, that I shall be able (by the Grace of God) to maintain all the Men I have afoot for this Summer; but for doing any more I dare not promise: therefore if with the Countenance and Assistance of what Force you have, you may uphold my Party in the North, and the rest of those Noblemen I have sent to you, I shall esteem it a very great Service; but I shall not advise you to engage me in further Charge, except it may be the Pay of some few Officers. So not doubting but that you will make as much of little as you may, and recommending this Lord to your care, I rest*

Newcastle,  
13 May, 1639.

Your assured constant Friend,

CHARLES R.

The Marquis found *Aboyn* had no Propositions to make besides General Stories, and he saw him to be of an unstay'd Humour, so that he was hopeless of any good account of his business. As for Money, he was limited by the King; and for Men, he had sent away the two Regiments that same day; and since he expected Orders every Hour from His Majesty for somewhat to be executed by the third Regiment, he could not weaken it too much: yet he sent a few Officers, the chief of whom was Colonel *Gunn*, together with some Ammunition, and four small Peece of Artillery. And of all this he gave an account to His Majesty, adding, that perhaps some might misrepresent his lying so long idle; but His Majesty knew what Orders himself had given, it being his part to obey: yet he earnestly craved liberty to doe somewhat worth the while; to which he received the following Answer.

Hamilton,

**H**AVING much Business, I refer you to Master Treasurer; yet this I think necessary to pass under my own Hand, (because of a Clause in yours of the 26<sup>th</sup> of this Moneth) that I am so far from having the least hint in my Heart against you, that I would think my self a happy Man, if I could be as confident in the Faith, Courage, and Industry of the rest of my Commanders and Officers, as I am of you; which makes me really to be

Berwick, May 29<sup>th</sup>  
1639.

Your assured constant Friend,

CHARLES R.

By this time the King had encamped at the *Birks*, three miles from *Berwick*, where His Majesty lay in the Camp himself.

An. 1639.

Some on the  
Borders are  
gained for the  
King.

All this while *Traquair* was not allowed to see the King, till he had done some Service which might expiate his former Errors. And My Lord *Roxburgh* was in the same case; for he coming to wait on the King at *York*, to clear himself of his Sons fault in turning in to the Covenant, His Majesty was so Gracious as to tell him, he believed him innocent, yet for examples sake he found it necessary to keep him under some mark of his Displeasure. So after a few days Confinement, both *Traquair* and he were suffered to go near the Borders, to see whom they could engage to the Kings Service; and they gained the Earl of *Hume* to be satisfied with His Majesties Proclamation, and had got good assurances both of the Lord *Johnstown*, the Earl of *Queensberry*, and of *Buckclough* his Friends. The Proclamation was published, first at *Heymouth*; next, by General *Arundel* and *Ruthwen* at *Dunce*: upon which *Lesley* brought forward his Forces, and lay at *Duncelaw*, in view of the Kings Army. On the fourth of *June* at noon the Marquis received the following Letter from His Majesty.

Hamilton,

The King or-  
ders the Mar-  
quis to enter  
on Hostilities.

**T**His day I received yours by the Lord Seaton, and find your Opinion therein very good, if I might spare so many men; but every one, (that I dare consult with about this) protesteth against the diminishing of one man from my Army: besides, I have no mind to stay here upon a meer Defensive, which I must do, if I send you that Strength you mention. Likewise I think that I have my Lord *Hume* sure, and am reasonably confident of my Lord *Johnstown*; I have good hopes too of *Queensberry*, and the Scots; therefore all these things considered, it were a shame if I should be idle. Wherefore now I set you loose, to doe what mischief you can doe upon the Rebels for my Service, with those men you have; for you cannot have one man from hence. Leaving the rest to the relation of this honest Bearer, I rest

Camp near Berwick,  
2 June 1639.

Your assured constant Friend,

CHARLES R.

who goes a-  
bout it.

The Marquis no sooner got this, but he presently set to work, resolving neither to spare *Burroughstownness* which was his own Town, nor *Prestonpans* which was his Cousins. But a strange Accident befell him the next day; for as he went out in a small Vessel with a Drake on her, and 60 Souldiers, to view the *Queensferry*, and burn the Ships that lay in the Harbour, he saw a Merchant-barque coming down towards him, and he caused row up to her: but she perceiving her Danger, run her self aground upon the Sands of *Barnbogle*. The Tide falling apace, and he following her indeliberately, run himself likewise on ground; where he was like to have been very quickly taken by the men on the Shoar, who were playing upon him, and some Volleys passed upon both hands. But they on the Land were waiting till the Waters should fall,



fall, reckoning him their Prey already, which had been inevitable, had not the Seamen got out, and being almost to the middle in Water, with great tugging set them afloat; and so he returned safe to the Fleet. And this was all the ground for that Calumny, of his making Appointments on the Sands of *Barnbogle*, with the Covenanters.

The next day at eight in the morning, being the sixth of June, he received the following Letter from Sir Henry Vane.

My Lord,

**B***Y the Dispatch Sir James Hamilton brought your Lordship from His Majesty's Sacred Pen, you were left at your liberty to commit any act of Hostility upon the Rebels, when your Lordship should find it most opportune: since which my Lord Holland with 1000 Horse and 3000 Foot marched towards Kelso, himself advanced towards them with the Horse (leaving the Foot three miles behind) to a Place called Maxwell-heugh, a height above Kelso: which when the Rebels discovered, they instantly marched out with 150 Horse, and (as my Lord Holland says) eight or ten thousand Foot; five or six thousand there might have been. He thereupon sent a Trumpet commanding them to retreat, according to what they had promised by the Proclamation. They asked whose Trumpet he was, he said my Lord Holland's; their answer was, he were best to be gone. And so my Lord Holland made his Retreat, and waited on His Majesty this night, to give him this account.*

*This morning Advertisement is brought His Majesty, that Lesley with 12000 men is at Cockburnspath, that 5000 men will be this night, or to morrow, at Dunc, 6000 at Kelso; so His Majesty's opinion is, with many of his Council, to keep himself upon a Defensive, and make himself here as fast as he can: for His Majesty doth now clearly see, and is fully satisfied in his own Judgement, that what passed in the Gallery, betwixt His Majesty, your Lordship, and my Self, hath been but too much verified on this occasion. And therefore His Majesty would not have you to begin with them, but to settle things with you in a safe and good posture; and your self to come hither in person, to consult what Counsels are fit to be taken, as the Affairs now hold. And so wishing your Lordship a speedy passage, I rest*

From the Camp at  
Huntley-field this 4<sup>th</sup>  
of July, 1639.

Your Lordships most humble Servant,  
and faithful Friend,

H. VANE.

To this His Majesty added the following *Postscript* with his own Hand.

**H***AVING no time to write my Self so much, I was forced to use his Pen; therefore I shall only say, that what is here written I have directed, seen and approved.*

C. R.

How great the Marquis his surprize and trouble was when he received this, cannot be easily expressed, though it was but what he always looked for: and before the King left *Whitehall*, he told him in the Gallery,

An. 1639. Gallery, (none but Sir *Henry Vane* being present) that few of the *English* would engage in an Offensive with *Scotland*. However he was too well taught in Obedience, to question or delay it after such positive Orders: and therefore could neither give a satisfactory answer to the Earl of *Airly*, who at that time wrote to him, pressing him to come to the North in all haste; otherwise the Kings Party there would be presently overrun; nor to my Lord *Aboyne's* Letter, who desired fresh Supplies of Men and Moneys, though the refusing of both these was after that alledged against him. Yet the last being dated the fourth of *June*, met him on his way to the King; the other could be no sooner at him, being of the 26<sup>th</sup> of *May*, and in the Postscript excuse is made that it was of an old Date for want of a sure Bearer: both these are yet extant. But most of all it appears, how groundless that great and crying Accusation was, (which as it made up no small part of his Charge to be mentioned in its proper place, so was it in the mouths of every person) that he betrayed His Majesties Service in the *Frith*, which could not be better cleared, than by giving this particular Deduction of every step of it.

where he finds  
a Treaty be-  
gun,

About the time that the Marquis arrived at His Majesties Camp, the Covenanters sent a Petition by the Earl of *Dumfermline* to the King, desiring a Safe-conduct for such of their number as they should send to His Majesties Camp, with their humble Desires and Offers for a Treaty. This was granted, and their first Meeting was appointed to be on the eleventh of *June* at *Arundel's* Tent. So they sent the Earls of *Roths*, *Dumfermline*, and *Lowden*, the Sheriff of *Teviotdale*, Mr. *Alexander Henderson*, and Mr. *Archbald Johnstoun*, who first proposed their Desires in general, *That Religion and Liberties might be secured, upon which they should behave themselves as good-Subjects*: and then the Marquis his affection to his Country, made him imploy his whole Interest with the King, for procuring a Gracious Answer to them; offering, that if the King found it suitable to his Honour, and fit for his Service, he should not be displeased, though His Majesty did disown his former Actions, and let the load of Obloquy and Censure fall as heavy upon himself as the King pleased. But in this His Majesty was positive, judging the owning of what he had done the former year, to be both for his Honour and Interest. However the Marquis did show the King, that while the fire-edge was upon the *Scottish* Spirits, it would not prove an easie task to tame them, but would be a Work of some years, and cost much Money and many Men: he therefore desired the King would consider, if it were not fit to consent to the abolishing of Episcopacy, and giving way to their Covenant till better times; and that as the chief Leaders had entred upon that Course, being provoked by some Irritations and Neglects they had met with, so it might be fit to regain them by Cajolery and other Favours. And to perswade the King to this Course was the easier, that both his Reason and his Affection to his Subjects did cooperate with it; a great strengthening coming to it by my Lord *Canterbury's* Opinion, who saw a Pacification absolutely necessary for the Kings Service, and did advise it.

So on the thirteenth of *June* His Majesty returned Answer, *That he supposed Religion and Liberties were abundantly settled by his former Proclamations: but if any thing was wanting, wherein either Religion or Liberties were concerned, none should be more zealous for it than himself.* The Covenanters



venanters insisted, That the Assembly of Glasgow might be ratified; but *An. 1639.* His Majesty rejected that, adding, That he was willing to call a new Assembly, and ratifie what should be legally established by it in the following Parliament. The Commissioners were willing to yield to this, provided His Majesty did not oblige them to renounce the Assembly of Glasgow, to which they resolved to adhere. His Majesty said, He should not press them to that, but that Assembly should not be mentioned on either hand. They moved next about Lay-elders in the Assembly: The King referred himself in that to the Laws of the Land. They next moved, That Episcopacy should be abolished: The King answered, He would not prelimit his Vote by declaring what it should be in the ensuing Assembly. Finally, after all things had been debated divers days, not without some heat, wherein the Earl of Rothes got new Irritations from some warm expressions of the Kings to him; at length on the eighteenth of June all was concluded. First, His Majesty signed the following Declaration, of which the Original is extant.

which is with-  
in few days  
concluded.

## CHARLES R.

WE having considered the Papers and humble Petitions presented to Us, by those of Our Subjects of Scotland who were admitted to attend Our Pleasure in the Camp, and after a full hearing by Our Self, of all that they could say or alledge thereupon, having communicated the same to Our Council of both Kingdoms, upon mature Deliberation, with their unanimous Advice, have thought fit to give them this Just and Gracious Answer; That though We cannot condescend to ratifie and approve the Acts of the pretended General Assembly at Glasgow, for many grave and weighty Considerations which have happened, both before and since, much importing the Honour and Security of that true Monarchical Government lineally descended upon Us from so many of Our Ancestours: yet such is Our Gracious Pleasure, that notwithstanding the many Disorders committed of late, We are pleased not only to confirm and make good whatsoever Our Commissioner hath granted and promised in Our Name; but also We are further Graciously pleased to declare and assure, that according to the Petitioners humble Desires, all matters Ecclesiastical shall be determined by the Assembly of the Kirk, and matters Civil by the Parliament, and other inferiour Judicatories established by Law; and Assemblies accordingly shall be kept once a year, or as shall be agreed upon at the next General Assembly.

His Majesties  
Declaration.

And for settling the general Distractions of that Our Ancient Kingdom, Our Will and Pleasure is, that a Free General Assembly be kept at Edinburgh the sixth day of August next ensuing, where We intend (God willing) to be personally present, and for the Legal Indiction whereof, We have given Orders and Command to Our Council; and thereafter a Parliament to be holden at Edinburgh the twentieth day of August next ensuing, for ratifying of what shall be concluded in the said Assembly, and settling such other things as may conduce to the Peace and Good of Our Native Kingdom, and therein an Act of Oblivion to be passed.

And whereas We are further desired, that Our Ships and Forces by Land be recalled, and all Persons, Goods and Ships be restored, and they made safe from Invasion, We are Graciously pleased to declare, That upon their disarming and disbanding of their Forces, dissolving and discharging all their pretended Tables and Conventicles, and restoring unto Us all Our Castles,  
Forts,



*An. 1639. Forts, and Ammunitions of all sorts, as likewise Our Royal Honours; and to every one of Our good Subjects their Liberties, Lands, Houses, Goods and Means whatsoever, taken and detained from them, since the late pretended General Assembly, We will presently thereafter recall Our Fleet and retire Our Land-Forces; and cause Restitution to be made to all persons, of their Ships and Goods detained or arrested since the aforesaid time: whereby it may appear, that Our Intention in taking up of Arms was no ways for invading Our Own Native Kingdom, or to innovate the Religion and Laws, but mainly for the maintaining and vindicating of Our Royal Authority.*

*And since that hereby it doth clearly appear, that We neither have, nor do intend any Alteration in Religion and Laws, but that both shall be maintained by Us in their full Integrity, We expect the performance of that humble and dutiful Obedience, which becometh loyal and dutiful Subjects, and as in their severall Petitions they have often professed.*

*And as We have Just Reason to believe, that to Our peaceable and well-affected Subjects this will be satisfactory; so We take God and the World to witness, that whatsoever Calamities shall ensue by Our necessitated suppressing of the Insolencies of such as shall continue in their Disobedient Courses, is not occasioned by Us, but by their own procurement.*

After this the following Articles were signed.

- I. **T**He Forces of Scotland to be disbanded and dissolved within eight and forty hours, after the Publication of His Majesties Declaration being agreed upon.
- II. His Majesties Castles, Forts, Ammunition of all sorts, and Royal Honours, to be delivered after the Publication, so soon as His Majesty can send to receive them.
- III. His Majesties Ships to depart presently after the delivery of the Castles, with the first fair Wind, and in the mean time no interruption of Trade or Fishing.
- IV. His Majesty is Graciously pleased to cause to restore all persons Goods and Ships, detained and arrested since the first of November last.
- V. There shall be no Meetings, Treatings, Consultations, or Convocations of His Majesties Lieges, but such as are warrantable by Act of Parliament.
- VI. All Fortifications to desist, and no further Work therein, and they to be remitted to His Majesties Pleasure.
- VII. To restore to every one of His Majesties Subjects their Liberties, Lands, Houses, Goods, and Means whatsoever, taken and detained from them by whatsoever means since the aforesaid time.

Next the Commissioners signed the following Note.

An. 1639.

[N obedience to His Majesties Royal Commands, we shall upon Thursday next the 20<sup>th</sup> of this June dismiss our Forces, and immediately thereafter deliver His Majesties Castles, and shall ever in all things carry our selves like Humble, Loyal, and Obedient Subjects.

Signed,

Roths	W. Douglas
Dumfermline	Al. Henderson
Lowden	Arch. Johnstoun

The Treaty being thus ended, all parted with great expressions of Joy. But few wise men expected it should be followed with a lasting Agreement, the Covenanters being peremptory not to part with a hoof, so that whatever Concessions came not up to all their Desires, were not like to prove satisfactory. Those who understood not the true state of the *English* Army, wondered that the King should have let this opportunity out of his hands, whereby they judged he was able to have broken and subdued *Scotland*. And according to the vulgar Civility of of all Censurers of Kings Actions, his bad Counsellours bore the blame, whereof the far greatest share fell upon the Marquis. But others who saw beyond those superficial Observers, acknowledged there was an equal temperature of Wisdom and Goodness in His Majesties Concessions, not denying a proportionable share of the praise to his good Counsellours. The Covenanters judged they had scaped well, who got off so easily; for it would have been impossible for them, to have maintained the great Bodies they had gathered together any longer, except they had marched into *England*, to which they had no mind unless forced by necessity. But some made another Observation though of less moment, yet not unpleasant, upon Mr. *Henderson's* signing the former Paper, That it was strange to see a Church-man who had acted so vigorously against Bishops for their meddling in Civil Affairs, made a Commissioner for this Treaty, and sign a Paper so purely Civil; so strongly does Passion and Interest bias and turn men.

When the Commissioners came back to the Camp, they gave an account of their Negotiation; and besides the Articles of Treaty, they produced another Paper which passed among all for the Conditions of the Agreement. It was a Note containing some Points which were alledged to have been agreed to at *Bernick* verbally, though not set down in the written Treaty: which was made up of some down-right Mistakes, and of other things which the King in discourse had indeed said, but not positively, nor as a Determination on which he had concluded. However the Army made a Declaration, that their accepting of the Kings Papers wherein the Assembly of *Glasgow* was called the *pretended Assembly*, did not infer their accounting it so which they could never do. Yet all the Forces withdrew, most of them laying down Arms, but still keeping in great Bodies together; and a Proclamation was

The Treaty is variously censured.

A Paper is given out for the Conditions of the Agreement, though not agreed to.



An. 1639. was sent to the North to *Montrose* on the one side, & *Aboyne* on the other, to lay down Arms, (for all this while there had been a Body of about 2000 that had stood for the King in *Aberdeenshire*, who were commanded by my Lord *Bampf*, against whom my Lord *Montrose* was sent :) and these Orders were obeyed by them both; and indeed they came in good time to *Aboyne*, otherwise he had been fore put to it.

The Marquis receives, and furnishes the Castle of *Edinburgh*.

On the 22<sup>th</sup> of *June* the Marquis was ordered to go to the Castle of *Edinburgh*, and take possession of it in the Kings Name, and relieve the Marquis of *Huntley*, and put *Ruthwen* (now created Lord *Esstrick*) in it; and also to furnish it with store of Provision and Ammunition out of the Magazine in the Navy: which being done, the Fleet was to be sent out of the *Frith*. And accordingly on the 24<sup>th</sup> of *June* he came to *Edinburgh*, but he met with such Reproaches and Hootings from the Vulgar, that he was forced (for preventing a Tumult) to desire some of the Covenanting Lords to wait on him to the Castle; and yet on the way he was all along cried out upon with most unworthy Names, as *Pyrate*, *Traitour*, *Enemy to God and his Country*, with other such-like Invectives. These he could not but despise, though he was sensible of the Dishonour put upon the Kings Commissioner by that Usage: yet he might well have expected, that it should have secured him from the Jealousies & Stories which were spread of him, as if he had been all that time so popular, that he was looked upon as the chief Friend of the Good Cause; which was as well grounded as the rest of these Reports. But having executed the Kings Orders about the Castle of *Edinburgh*, he left the Earl of *Traquair* (whom with the Earl of *Roxburgh* His Majesty had again received into his Favour) to see the rest of the Conditions fulfilled.

The Tables continue to sit,

The Tables continued to sit, pretending it was necessary they should doe so till all were scattered. It is true, I have in my hands a Copy of a Warrant for them to sit till the 20<sup>th</sup> of *July*; but whether it was signed, I can neither assert nor deny.

Divers Disorders fell out in *Edinburgh*, and *Traquair* met with many Insolences, in one of which the White-staff, which was carried by his Servant before his Coach, was pulled out of his Hand; and Complaint being made of this to the Town-Council of *Edinburgh*, all the Reparation they offered, was to bring my Lord Treasurer another White-staff: so it was said, they rated the Affront put on the King in the Person of his Treasurer at Six pence.

and the Covenanters are insolent.

Other Insolences were also complained of, and the Covenanters partly excused them, partly denied what was alledged; but no Reparation was made. These Disorders obliged His Majesty to change his purpose of coming to *Scotland* in Person, resolving to be present onely by his Commissioner.

The Marquis returned to His Majesty, and stated all that was to be thought upon for *Scottish* Affairs in a Paper presented to His Majesty at *Berwick* the 5<sup>th</sup> of *July*, yet extant in these words.

The Marquis his advice to the King.

To leave all that is past, the Question is briefly;  
W Hether the Assembly and Parliament now indicted is fittest to be held or discharged?

If held, the Success of the Assembly will be the Ratifying of what was done at *Glasgow*; or if that point be gained, yet certainly most of the *Acts* that were



were made there will of new enacted: nor is there any hope to prevent their finding Episcopacy to be abjured by their Covenant, and the Function against the Constitution of their Church. *An. 1639.*

This will be by the Members of Parliament ratified, and put to the Kings Negative Voice; and if it be not condescended to by him, it is more than probable, that his Power even in that Court, and in that Place, will be questioned.

If it will be discharged, nevertheless the Assembly be kept by the Rebels, and the same things done in it by them, and thereafter maintained by the generality of the Kingdom, this consequently will bring alongst with it the certain loss of Civil Authority, and so necessitate the re-establishing the same by Force, or otherwise the desertion of that Kingdom.

So it is to be resolved on, whether it be fit to give way to the Madness of the People, or of new to intend a Kingly Way?

If way be given to what is mentioned, it is to be considered in that case, if the King shall be personally present or not; if not present, who shall be employed, and how instructed?

If the Kingly Way be taken, what shall be the means to effectuate the intended end: particularly how Money may be levied for the waging of this War, and if that be feasible without a Parliament?

If a Parliament, what the Consequence may prove? So all may be summed up in this; Whether to permit the Abolishing of Episcopacy, the lessening of Kingly Power in Ecclesiastick Affairs, the Establishing Civil Authority in such manner as the Iniquity of the Times will suffer, and to expect better; and what will be the Consequence of this if way be given thereto: or to call a Parliament in England, and leave the event thereof to hazard and their discretions, and in the interim Scotland to the Government of the Covenanters?

This Freedom declares how candidly he dealt with the King in all his Counsels. It is true, he pressed the King earnestly to give way to the abolishing of Bishops, judging that to be the onely mean to bring Scotland again into Order: but this was out of no other Principle, save his Desire to see the King again enjoy the Affections, as well as the Obedience, of his Subjects of Scotland; thinking Episcopal Government not so essential or absolutely necessary, as not to be parted with for a time in such an Exigency, wherein the Ruine of the King and Kingdom was was so manifestly threatned.

His Majesty considering that God did not tie him to Impossibilities, resolved, notwithstanding his Conscientious adhering to Episcopacy in England, to give way for some time to lay aside that Government in Scotland, hoping to draw more good from it; but intended to employ another for executing it, knowing that his Countenance and Carriage would betray the Discord was betwixt his Heart and his Actions, if he went himself: and being well satisfied with the Marquis his Behaviour, desired him to return to Scotland in the same Character, and finish that Business.

But he made use of all his Forces both of Reason, Friendship, and Interest, to divert the King from this, representing the following Reasons to dissuade him from it, in a Paper presented the 8<sup>th</sup> of July in these words.

The King intends to send him again Commissioner into Scotland,

who opposes it with all his Interest.

An. 1639.

**I**F Your Majesty give way to the Covenanters Demands, it would be seriously considered which will be the fittest way to doe it; if by Your Majesties Own Personal Presence, or by a Commissioner; if Your Self, I shall say in that case nothing in this Paper; if by a Commissioner, then give me leave humbly to represent to Your Majesties Consideration, how unfit it is that I should be employed.

The Hatred that is generally carried me, and in particular by the chief Covenanters, will make them (hoping thereby either to ruine me, or at least make my Service not acceptable) stand more peremptorily on these other Points of Civil Obedience, which Your Majesty aims at, than they would doe to one that is less hated.

II. Since they are the same men I have formerly treated with, who now again must be principally used, they cannot but find these Particulars, which I have so often sworn, and said, Your Majesty would never condescend to, will now be granted: therefore they will give no credit to what I shall say thereafter, but will still hope and believe, that all their Desires will be given way to, thinking, as they have often said, that I had Power to condescend to more, but would not, that I might endear my self to Your Majesty, and be thought a deserving Servant, in procuring more than you was content to accept of; and so will for this cause stand upon those Points with me, which they would not doe with any other, who they could not but believe would freely grant (to oblige them) all such things as he had Power from Your Majesty to grant; and trust him when he said he could go no farther, and so rather accept of that than adventure on a new Breach.

III. The rage and malice of the People is such against me, that I am not onely advertised, but advised from many amongst them, who pretend to love me, not to come into the Kingdom employed as a Commissioner; for it will be impossible for me to escape Affronting, if I do with my Life. I do not mention this out of a care to preserve it with the prejudice of Your Service, but I know Your Justice and Goodness is such, that You would not suffer that Injury to go unpunished, which would consequently bring alongst with it the losing of Your Majesties End, of establishing this Business in a peaceable way.

IV. If Your Majesty should longer continue me Your Commissioner, it would confirm in them the Opinion which hath already possessed them, that Your Majesty intends to govern that Kingdom by a Commissioner, which is not more grievous to the Covenanters than it is to the Officers of State; Whereas (on the contrary) if Your Majesty make choice of a New one, they will think it is onely for the present Service, and so rest both of them secure in that point; and Your Service consequently go the smother on: for they will fancy, if it prosper in my hands, that then I may like the Employment so well, as I would not willingly quit it; but if it miscarry, then neither I nor any other would be desirous to undergo that Charge, and so they be freed of a Commissioner.

V. I am thought to have been a chief Instrument in moving Your Majesty to resent their Carriage in such sort as you have done: which will cause in them, for my sake, not onely a Dislike of all that shall pass through my hands, but even an Undervaluing, or at least not that hearty Acknowledgment of such Favours as Your Majesty conferreth on them, which they would doe if another were employed; whom they would endeavour to gain for their own ends, and hoping to make him theirs, would not onely seem to be contented, but endeavour to make Your Majesty, the World, and himself, believe they were so. Whereas (on the contrary) they would be ever repining, and not give that obedient Acquiescing,

if



if I be continued, as otherwise would be if any other were employed.

An. 1639.

If Your Majesty should at this time continue me Your Commissioner, they would apprehend that I might resent the many particular Injuries done me, and so be a mean to work them prejudice, if it were but to revenge myself, which will not onely cause Jealousie in them, but an earnest endeavouring to make me incapable to prejudice them; which cannot more easily be effected than by frustrating and crossing my Intentions of serving Your Majesty: Whereas if another be employed, they will not apprehend it to be in my Power to prejudice them, and so be freed of that Fear, and consequently give way to those things in another Mans person, which they would not doe if I be still employed.

VI.

They know that I am so well acquainted with their Ways and Proceedings, and that my Heart is so streight to Your Majesties Service, that I will not conceal any thing from You, either of their by-past Actions, or any thing that shall be done of new: Whereas if Your Majesty employed another, they will be in hope that what is past is not so well known to him, and so will be forgot, or if remembered by me, it will serve to no end, I being out of Place; and that perhaps he will be more sparing of speaking than I have been, or that he is to be gained to their Party: for which end hoping he may prove for the future useful to them, they may comply with him for the present in divers things, which they would not doe if I be continued.

VII.

There are so many of Your Majesties Subjects of all sorts, whom I have perswaded to resist the Ways of the Covenanters to their great prejudice, that I shall be infinitely pressed by them to move Your Majesty for their Relief, and I challenged of my Promise, that whosoever suffered for that Cause, Your Majesty would restore to the full to them, the doing whereof would draw on Your Majesty a great Charge; and if they find it not performed to them by me continuing Commissioner, it is probable they will then joyn with the Covenanters: whereas if Your Majesty employ another, they will not know so well how to address themselves to him, nor be in despair of obtaining it hereafter, and so continue still in the way they are in.

VIII.

This Work will make me (I fear) even lose Your Majesties Favour; for I know it is so odious to You, that I have cause to apprehend that You will not like the Act: or though Your Goodness will permit You to look upon him, because what he did was by Your Command; yet it may be imagined that Your Honour will oblige You not to seem to care for him. Sure I am of this, that whereas I am now perfectly hated by all Your Subjects who have withstood Your Majesty, (if it shall please you to lay this Employment upon me) I shall hereafter be, by all who wish Prosperity to Your Affairs in both Kingdoms; and where or how I may be called to an account for this Undertaking, I know not: and a business of that nature I take it to be, that a Pardon ought humbly to be begged, before it be meddled in, seeing it is an Act so derogatory to Kingly Authority.

IX.

Give me leave humbly to represent unto Your Majesty, if it be fit either for an Honest man or a Gentleman, to be made the Instrument of doing that which he hath so often in publick and private condemned in so high a degree, and withstood to the certain loss of most of my Country, and many of Your Majesties Court and Kingdom of England. Nor can I ever hope to live without perpetual Accusations of such who will find themselves grieved by that which will be done; for not dissuading Your Majesty from this course, or at least for accepting that Employment, and proving Your Instrument therein. This I could enlarge, for much thereof I have already heard; but I have presumed too much: yet I hope Your Majesty will pardon me, since these Arguments are (as I conceive) used



*An. 1639. for Your Service, the Good of which shall be ever preferred by me, before either Life or Fortune; which I would willingly expose to all Dangers, rather than You shall be pleased to lay this Employment on me, for Your Majesties Affairs would be infinitely prejudiced thereby.*

*All which I humbly beseech You to take into Your Royal Consideration.*

The King chooses Traquair to be Commissioner,

and writes for many Covenanters.

There was too much Justice in these Reasons, and His Majesty was too full of Affection for him to press it any further; therefore the King made choice of his Treasurer the Earl of Traquair for the Service, making account that if he served honestly, it would doe well; if otherwise, his Majesty would have good reason to shake him off. Upon this he was presently called from Scotland. The King also wrote for 14 of the Lords that were the chief Covenanters, to come and wait upon him at Berwick, that he might advise with them about the Affairs in hand. But the true reason (as was believed) was to try what fair Treatment might doe with them. This gave great Jealousies to the Covenanters, who were not so blind as not to understand what the effect of this might prove. And indeed some studied to infuse worse Jealousies, as if the Design of calling for the Lords had been to send them all Prisoners to London. In end they resolved none should go, save three from each Estate: the three Lords were the Earls of Montrose, Lowdon, and Lowthian; and Lowthian was the person who pressed them most to send any, for many had no inclinations to send at all.

But before they came to Berwick the King ordered the Marquis by a Warrant in writing, yet extant under His Majesties Hand, *to try what may be could gain upon them, and discover the bottom of their Intentions, how the Estate of Bishops should be supplied in Parliament, and how far they intended to lessen the Kings Authority.* The King also allowed him to use what means he pleased, and speak to them what he thought fit; not onely authorizing, but requiring him to it, and warranting him if he were ever questioned or accused for it by any. Bearing date at Berwick the 17<sup>th</sup> of July, 1639.

The Kings Trust in the Marquis.

It is easie from this to infer, both how intirely His Majesty confided in him, and how unjust they are who upon any Expressions he might then have used, offer injury to his Memory: and yet he managed this so cautiously, that very little escaped him for which he could not have justified himself without this Order. But so tender was he of His Majesties Reputation, that when he was afterwards charged for some hard Speeches, alledged to have been uttered at that time, in all his written Defences he never made use of this Justification; knowing how at that time it might have prejudiced His Majesties Service, if it had been known that he gave such Warrants to those he imployed; reserving to whisper it in His Majesties Ear, when he should be admitted to his Presence. And indeed till this appeared, the Writer of these *Memoires* was not a little stumbled with some of his Speeches then uttered, which were hard to be understood: for having them so near the Fountain, he could scarce doubt his Information: but this Order reconciles the Truth of these Reports he had heard with the Marquis his Innocency.

The King gains Montrose.

The King was highly sensible of the Affront put upon him, by hindring all he had called for to come to wait on him; yet he resolved to bear as far as Humane Patience could go, and studied to gain upon the Lords

Lords that came. The Earl of *Montrose* was much wrought upon, and gave His Majesty full Assurances of his Duty in time coming; and upon that entred in a Correspondence with the King. The other two were a little mollified, but not gained: onely from them the Marquis learned, that all the Acts of Parliament for Episcopacy were to be abrogated by the next Parliament; and that they designed to change the course of bringing in things to the Parliament by the Lords of the Articles, as a Prelimination upon the Parliament. Whereupon the next thing to be done was to draw *Traquair's* Instructions, which was not done without great and long Consultation, none being privy to it besides the Marquis and *Traquair* himself. That which made the King so tender, was his Zeal for Episcopacy: but *Traquair* helped him out of all Difficulties, by telling him, that doe the next Parliament what it would, there were still good grounds to introduce Episcopacy, when ever the King was able to carry it; for Bishops being (by all the Laws of *Scotland*) one of the three Estates of Parliament, no Act that passed without them could have force in Law, much less the Act that abolished them, especially they not appearing or consenting to it, but protesting against it. This gave much ease to the Kings thoughts, and so on the 27<sup>th</sup> of *July* *Traquair's* Instructions were signed, which follow as they are taken from a Copy of them under the Marquis his Hand.

## CHARLES R.

At the first Meeting of the Assembly, before it be brought in dispute who shall preside, you shall appoint him who was Moderator in the last Assembly, to preside in this till a new Moderator be chosen.

We allow that Lay-elders shall be admitted Members of this Assembly: the but in case of the Election of Commissioners for Presbyteries Lay-elders have had Voice, you shall declare against the informality thereof; as also against Lay-elders having voice in Fundamental Points of Religion.

At the first opening of the Assembly you shall strive to make the Assembly sensible of Our Goodness, that notwithstanding all that is past, whereby We might justly have been moved not to hearken to their Petitions, yet We have been Graciously pleased to grant a Free General Assembly, and for great and weighty Considerations have commanded the Archbishops and Bishops not to appear at this Assembly.

You shall not make use of the Assessors in publick, except you find you shall be able to carry their having Vote in Assembly.

You shall labour to your uttermost, that there be no question made about the last Assembly; and in case it come to the worst, whatever shall be done in Ratification, or with relation to the former Assembly, Our Will is, that you declare the same to be done as an Act of this Assembly, and that you consent thereunto onely upon these terms, and no ways as having any relation to the former Assembly.

You shall by all means shun the Dispute about Our Power in Assemblies; and if it shall be urged or offered to be disputed, whether We have the Negative Voice, or the sole Power of Indicting, and consequently of Dissolving, except you see clearly that you can carry the same in Our Favour, stop the Dispute; and rather than it be decided against Us, stop the course of the Assembly until We be advertised.

For

An. 1639. For the better facilitating of Our other Services, and the more peaceable and plausible progress in all Businesses recommended to you, We allow you at any time you shall find most convenient, after the opening of the Assembly, to declare, That notwithstanding Our Own Inclination, or any other Considerations, We are contented for Our Peoples full satisfaction, to remit Episcopacy, and the Estate of Bishops to the Freedom of the Assembly, but so as no respect be had to the Determination of the Point in the last Assembly.

But in giving way to the abolishing of Episcopacy, be careful that it be done without the appearing of any Warrant from the Bishops; and if any offer to appear for them, you are to inquire for their Warrant, and carry the Dispute so, as the Conclusion seem not to be made in prejudice of Episcopacy as unlawful, but onely in satisfaction to the People, for settling the present Disorders, and such other Reasons of State: but herein you must be careful that Our Intentions appear not to any.

You shall labour that Ministers deposed by the last Assembly, or Commissions flowing from them, for no other cause but the subscribing of the Petition or Declinator against the last Assembly, be upon their Submission to the Determinations of this Assembly, reponed in their own Places; and such other Ministers as are deposed for no other faults, that they be tried of new: and if that cannot be, strive that Commissions may be directed from this Assembly for Trying and Censuring them according to the nature of their Process.

That immediately upon the Conclusion of this Assembly you indict another at some convenient time, as near the expiring of the Year as you can: and if you find that Aberdeen be not a Place agreeable, let Glasgow be the Place, and if that cannot give content, let it be elsewhere.

The General Assembly is not to meddle with any thing that is Civil, or which formerly hath been established by Act of Parliament, but upon His Majesties special Command or Warrant.

We will not allow of any Commissioners from the Assembly, nor no such Act as may give ground for the continuing of the Tables or Conventicles.

In case Episcopacy be abolished at this Assembly, you are to labour that We may have the Power of chusing of so many Ministers as may represent the 14 Bishops in Parliament; or if that cannot be, that 14 others whom We shall present be agreed to, with a Power to chuse the Lords of the Articles for the Nobility for this time, untill the Business be further considered upon.

We allow that Episcopacy be abolished for the Reasons contained in the Articles, and the Covenant 1580 for satisfaction of Our People be subscribed, provided it be so conceived, that thereby Our Subjects be not forced to abjure Episcopacy as a point of Popery, or contrary to Gods Law, or the Protestant Religion: but if they require it to be abjured as contrary to the Constitution of the Kirk of Scotland, you are to give way to it rather than to make a Breach.

After all Assembly-business is ended, immediately before Prayers, you shall in the fairest way you can, protest that in respect of His Majesties Resolution of not coming in Person, and that His Instructions to you were upon short advertisement, whereupon many things may have occurred, wherein you have not had His Majesties Pleasure, therefore and for such other Reasons as occasion may furnish, you are to protest, that in case any thing hath escaped you, or hath been condescended upon in this present Assembly, prejudicial to His Majesties Service, that His Majesty may be heard for redress thereof in his own time and place.

We will not allow, that either by the Commissions already granted, nor upon no other Bill or Petition, any part of the burden of the Charges of the last Business



refs be laid upon any of Our good Subjects, who have stood by Us, and have An. 1639.  
refused to subscribe their Bonds and Covenants.

That you stop the Signatures of the Rights of Kintyre, Abbacy of Dear, Abbacy of Scoon, and generally all Acts in favours of Covenanters, so far as you can without stopping the ordinary course of Justice: and you are to consider withall how His Majesties Right to any of the aforesaid may be put on foot without making interruption to the present Business in hand.

You shall take a course whereby the Rents of all such Bishopricks as are vacant be detained, and either by Warrant of the Incumbent, or by Demission may be collected: and when any person shall be provided to these Benefices so vacant, Our Will is, that you take the same course with the Rents of these, as by these We do command you to doe with the rest of the Rents of the Bishopricks of Scotland; which is this, to cause draw up a formal Assignment to the whole Rents, Fruits, Customs, &c. belonging to the Bishoprick, whereof they are Bishop, to be subscribed by them to and in Our Favour, upon return whereof to you, you shall give Power and Commission to such Persons as you shall receive under every one of their Hands, to collect and intromet with the aforesaid Rents of the severall Bishopricks, and to deliver and be accomptable to you for the same; and upon your receipt thereof, you are to issue them out immediately again to the aforesaid Bishops, or any having their Warrant to that effect.

You shall hear the Complaints or Petitions of any of Our Subjects, or against any of Our Subjects, but such as you know to be Sufferers for refusing to joyn with the Covenanters in the Covenanting way; and you shall protect all such Persons by all the fair ways you can, and particularly Sir John Hay and Sir Robert Spottiswood.

If any thing occur either in Civil or Ecclesiastical Judicatory, wherein you have not Our express Will and Pleasure signified unto you, wherein you see clearly Our Royal and Princely Power and Authority prejudiced, We will you to acquaint Us therewith before any Proceeding be made.

You shall pay weekly for defence of Our Castle of Edinburgh an hundred Souldiers at eight pence per diem, besides the English Gunners and Artificers, at the Rates set down by the Marquis of Hamilton. And as for Ruthwen himself, you shall assign him the Rents of the Castle; and you shall likewise keep a competent number of Workmen for completing the Fortifications already begun, and shall withall provide the Castle with 6 moneths Victuals for the foresaid number of Souldiers and other Officers.

And as for Dumbrilton, you shall pay for the Defence thereof Souldiers at eight pence per diem to the number of 40: allowing the Rents and other Customs thereof for paying the Captain and other Officers.

At Berwick the 27<sup>th</sup> of July, 1639.

These were the Instructions given the Earl of Traquair, of which the Marquis wrote to a Covenanter, That if they were not worse than Devils they would rest satisfied.



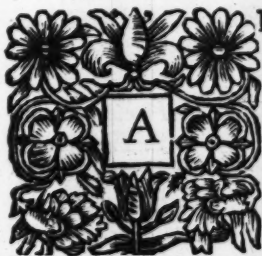
## MEMOIRES

OF THE  
LIFE and ACTIONS  
OF

James Duke of Hamilton, &c.

LIB. III

*Of what passed after the Marquis laid down his Commission till July 1642.*



AND now I am come to a Period in the *series* of the Marquis his Publick Actings for this turn, after which for some Years he continued at Court under the private Character of a Councillour much in His Majesties Favour; it cannot be therefore expected, that henceforth the Accounts of *Scotish* Affairs should be enlarged to the former Fulness, since it is the Marquis his Story, and not *Scotland's*, that is undertaken to be

*An. 1639.*  
The Marquis  
out of Publick  
Employment.

written: neither are the Materials so copious, as to bear the Writer through all particulars, were he so bold as to adventure on them. Therefore all that shall be henceforth offered of Publick Affairs, shall be onely to give the Reader such a clear prospect of the State of them, that when the Marquis shall again appear in business, his following Actions may hang together with his former; yet the Writer will not so fully confine himself to a general Account, but when any particulars occur wherein he is authentically informed, he will truly represent them.

My Lord of *Traquair* waited upon His Majesty to *Whitehall*, whither the King came in the beginning of *August*: and on the sixth his Commission was signed, and himself dispatched to *Scotland*. On his way he was ordered to deliver the following Letter from His Majesty to my Lord *S. Andrews*, (who was then at *Newcastle*) in answer to an Address made by the Bishops to my Lord of *Canterbury* to get the Assembly prorogued. It was penned by the Marquis, as appears by the *Brevillon* of it yet extant, and interlined in some places by my Lord of *Canterbury*.

*Traquair goes  
to Scotland.*



An. 1639.

CHARLES R.

Right Trusty and Well-beloved Councillour, and Reverend Father  
in God, We greet you well.

**Y**Our Letter, and the rest of the Bishops, (sent by the Elect of Caithnes) to my Lord of Canterbury, hath been shown by him to Us; and after serious Consideration of the Contents thereof, We have thought fit Our Self to return this Answer to you, for Direction according to Our Promise, which you are to communicate to the rest of your Brethren.

We do in part approve of what you have advised concerning the Prorogating of the Assembly and Parliament, and must acknowledge it to be grounded upon Reason enough, were Reason only to be thought on in this Business; but considering the present state of Our Affairs, and what We have promised in the Articles of Pacification, We may not (as We conceive) without great prejudice to Our Self and Service, condescend thereunto: wherefore We are resolved, nay rather necessitated, to hold the Assembly and Parliament at the time and place appointed. And for that end We have nominated the Earl of Traquair Our Commissioner, to whom We have given Instructions, not only how to carry himself at the same, but a Charge also to have a special care of your Lordships, and those of the inferiour Clergy, who have suffered for their Duty to God and Obedience to Our Commands. And We doe hereby assure you, that it shall be still one of Our chiefest Studies, how to rectifie and establish the Government of that Church a-right, and to repair your losses, which We desire you to be most confident of.

As for your Meeting to treat of the Affairs of the Church, We do not see at this time how that can be done; for within Our Kingdom of Scotland, We cannot promise you any place of Safety, and in any other of Our Dominions We cannot hold it convenient, all things considered: wherefore We conceive that the best way will be for your Lordships, to give in, by way of Protestation or Remonstrance, your Exceptions against this Assembly and Parliament to Our Commissioner, which may be sent by any mean man, so he be Trusty, and deliver it at his entring into the Church; but We would not have it to be either read or argued in this Meeting, where nothing but Partiality is to be expected, but to be represented to Us by him, which We promise to take so in consideration, as becometh a Prince sensible of His Own Interest and Honour, joined with the equity of your Desires: and you may rest secure, that though perhaps We may give way for the present to that which will be prejudicial both to the Church, and Our Own Government; yet We shall not leave thinking in time how to remedy both.

We must likewise intimate unto you, that We are so far from conceiving it expedient for you, or any of my Lords of the Clergy, to be present at this Meeting, as We doe absolutely discharge your going thither, and for your Absence, this shall be to you and every one of you a sufficient Warrant. In the interim, your best Course will be to remain in Our Kingdom of England, till such time as you receive Our further Order, where We shall provide for your Subsistence, though not in that measure as We could Wish, yet in such a way as you shall not be in want.

Thus you have Our Pleasure briefly signified unto you, which We doubt not but you will take in good part; you cannot but know, that what We doe in this We are necessitated to. So We bid you farewell.

Whitehall, Aug. 6. 1639.

This

An. 1639.

This Letter being delivered to the Bishops by the Kings Commif-  
fioner, they signed the following Declinatour, and put it in his hands.

**W**Hereas His Majesty out of His surpassing Goodness was pleased to in-  
dict another National Assembly, for rectifying the present Disorders  
in the Church, and repealing the Acts concluded in the late pretended Assem-  
bly at Glasgow, against all right and reason; charging and commanding us  
the Archbishops, and Bishops of the Church of Scotland, and others that have  
place therein to meet at Edinburgh the 12<sup>th</sup> of August instant, in hopes that  
by a peaceable Treaty and Conference, matters should have been brought to a  
wished Peace and Unity; and that now we perceive all these Hopes disappoint-  
ed, the Authors of the present Schism and Division proceeding in their wont-  
ed courses of Wrong and Violence, as hath appeared in their presumptuous  
Protestation against the said Indiction, and in the business they have made  
throughout the Country, for electing Ministers and Laicks of their Faction to  
make up the said Assembly; whereby it is evident, that the same or worse ef-  
fects must needs ensue upon the present Meeting, than were seen to follow the  
former.

The Bishops  
Declinatour of  
the Assembly.

We therefore the Under-subscribers for discharge of our Duties to God  
and to the Church, committed to our Government under our Sovereign Lord  
the Kings Majesty, Protest, as in our former Declinatour, as well for our  
Selves, as in name of the Church of Scotland, and so many as shall adhere  
to this our Protestation, That the present pretended Assembly be holden and  
reputed null in Law, as consisting and made up partly of Laical persons that  
have no Office in the Church of God, partly of refractory, schismatical, and  
perjured Ministers, that contrary to their Oaths and Subscriptions, from  
which no Humane power could absolve them, have filthily resiled, and so  
made themselves to the present and future Ages most infamous: and that no  
Church-man be bound to appear before them, nor any Citation, Admonition,  
Certification, or Act whatsoever, proceeding from the said pretended Meeting,  
be prejudicial to the Jurisdiction, Liberties, Priviledges, Rents, Possessions, and  
Benefices belonging to the Church, nor to any Acts of former General Assemblies,  
Acts of Council, or Parliament made in favours thereof: but to the contrary,  
That all such Acts and Deeds, and every one of them, are and shall be re-  
puted unjust, partial, and illegal, with all that may follow thereupon. And  
this our Protestation we humbly desire may be presented to His Majesty, whom  
we do humbly supplicate, according to the practice of Christian Emperours in  
Ancient times, to convene the Clergy of His whole Dominions, for remedying  
the present Schism and Division, unto whose Judgement and Determination  
we promise to submit our Selves, and all our Proceedings.

Given under our hands at Morpeth, Berwick, and Holy-Island, the  
tenth and eleventh of August, 1639.

Signed,

St. Andrews.	Wal. Brechin.
Da. Edinburgen.	Ja. Lumoren.
Jo. Rossen.	Ad. Aberdon.
Th. Galloway.	

X 2

When

An .1639.

The Assembly  
fits and pro-  
ceeds violent-  
ly.

When my Lord *Traquair* came to *Scotland*, he found all the Conditions of the Treaty violated, the Fortifications of *Lieth* continued, the Forces not all disbanded, *Lesley* keeping up still the Character of General, besides many other particulars.

After his coming to *Edinburgh*, the Assembly was held there about the middle of *August*, but they had not remitted any thing of their Fervour: only in renewing the last years Acts, they were contented not to mention the Assembly of *Glasgow*; magnifying that as a high Condescendency, not considering how disproportioned it was to the great Concessions made by His Majesty. Neither were they content with discharging the use of the Service-Book and Book of Canons, but would needs tax them of Popery, and the High Commission of Tyranny. Like to these were their Narratives of Annulling the *General Assemblies* held by *King James*, and of abolishing *Episcopacy*, of which my Lord *Traquair* gave His Majesty an account; and the following Answer was sent from His Majesty. But one difference of the Kings Usage of the Marquis from what he gave his other Commissioners, is, that to him he wrote his Orders all with his own Pen; but to others he wrote by another Pen, only *Superscribed* the Letters himself. And in his Letters to *Traquair* he employed the Marquis for his Secretary. The Kings Letter follows, taken from the Marquis his Copy, bearing date the 20<sup>th</sup> of *August*.

CHARLES R.

Right Trusty,

WE have hitherto commanded *Hamilton* to answer several of your Letters; but that of the 16<sup>th</sup> of *August* being of more weight than any of your former, We have thought fit to answer it Our Self.

And whereas you say, that nothing will satisfy them, except in terminis the last Assembly be named and ratified, or that may be given to the discharging *Episcopacy* as abjured in that Church, as contrary to the Confession of Faith 1580. and the Constitutions of the same, you being yet in some hope, that the word Abjured may be got changed, and that in drawing up the words of the Act it be onely condemned, as contrary to the Constitution of that Church; We in this point leave you to your Instructions, they being full, if you consider what We have said concerning *Episcopacy*, and subscribing the Confession of Faith 1580: We thinking it fit to declare hereupon unto you, that let their Madnes be what it will; further than We have declared in Our Instructions in these points, We will not go.

For the Service-book and Book of the Canons, though We have been and are content it be discharged; yet We will never give Our Voice nor Assent, that they be condemned as containing divers Heads of Popery and Superstition. In like manner, though We have been and are content, that the High Commission be discharged; yet We will never acknowledge that it is without Law, or destructive to the Civil and Ecclesiastical Judicatories of that Our Kingdom, nor that the Five Articles of *Perth*, though discharged with Our Approbation, be condemned as contrary to the foresaid Confession. As concerning the late Assemblies, We cannot give Our Consent to have them declared null, since they were so notoriously Our Father (of Happy Memory) His Acts: It seeming strange, that We having condescended to the taking away all these things that they complained of, which were done in those Assemblies, they will

not



not be content therewith, without laying an Aspersion on Our Fathers Acts. An. 1639.  
ons. Wherefore if the Assembly will in despite of your Endeavours conclude  
contrary to this, you are to protest against their Proceedings in these points; and  
be sure not to ratifie them in Parliament.

Concerning the yearly Indicting of General Assemblies, and the Confession of  
Faith, We commanded Hamilton in his of the 16<sup>th</sup> to answer that point to  
this effect; That We think it infinitely to Our Prejudice, that We should con-  
sent to tie Our Self for the keeping yearly of their Assemblies, not needing to  
repeat the Reasons, they being well enough known to you; seeing at Berwick it  
was conceived upon debate of that Point, that your having Power to indict a  
New one within the Year, would save that dispute, which you are by all means  
to eschew. But if this will not give satisfaction, you are by no means to give  
your assent to any such Act, nor to ratifie the same in Parliament.

The Article in your Instructions which is onely, That the Covenant 1580  
shall be subscribed, you must have an especial care of, and how you proceed there-  
in: That the Bond be the same which was in Our Fathers time, mutatis mu-  
tandis; and that you give your Assent no other ways to the Interpretations  
thereof then may stand with Our future Intentions, well-known to you: nor is  
the same otherwise to be ratified in Parliament.

Thus you have Our Pleasure fully signified in every Particular of your  
Letter, which you will find no ways contrary to Our Resolution taken at Ber-  
wick, and Our Instructions given to you there. But if the Madnes of Our  
Subjects be such, that they will not rest satisfied with what We have given you  
Power and Authority to condescend to, which notwithstanding all their Inso-  
lencies We shall allow you to make good to them, We take God to witness, that  
what Misery soever shall fall to that Country hereafter, it is no fault of Ours,  
but their own procurement. And hereupon We do command you, that if you can-  
not compose this Business according to Our Instructions, and what We have now  
written, that you prorogue the Parliament till the next Spring; and that you  
think upon some course how you may make publicly known to all Our Sub-  
jects, what We had given you Power to condescend to. And because it is not  
improbable that this way may produce a present Rupture, you are to warn and  
assist Ruthwen for the defence of the Castle of Edinburgh, and to take in ge-  
neral the like care of all Our Houses and Forts in that Kingdom; and like-  
wise to advertise all such who are affected to Our Service, that timously they  
may secure themselves. And so We bid you heartily farewell.

The greatest Point gained in the Assembly was, an Explication of the  
Bond of Defence, which was conceived in these Words.

**W**E do swear not onely our mutual concurrence and assistance for the  
cause of Religion, and to the uttermost of our power, with our Means  
and Lives, to stand to the Defence of our Dread Sovereign, and His Autho-  
rity, in the preservation and defence of the said true Religion, Liberties, and  
Laws of this Kirk and Kingdom: but also in every cause which may concern  
His Majesties Honour, we shall (according to the Laws of this Kingdom, and  
Duties of good Subjects) concur with our Friends and Followers in quiet  
manner or in Arms, as we shall be required of His Majesties Council, or any  
having His Authority.

The Explica-  
tion of the Co-  
venant.

The

An. 1639.

Episcopacy  
abjured in  
Scotland.

The Clause about Episcopacy was worded, *That it was unlawful in this Church.* Upon this the Covenant was presented to the Commissioner and Council on the 30<sup>th</sup> of August, with a desire that it might be signed, and it was accordingly done; which was received with great Joy, witnessed by Bonfires and ringing of Bells, and all the Pulpits and Streets were full of Traquair's Praises. But His Majesty was no way satisfied with this, as appears from the following Letter.

CHARLES R.

Right Trusty, &amp;c.

The King dis-  
pleased with  
Traquair.

**Y**our Letter of September the 27<sup>th</sup> to Hamilton We have seen, and think fit to return Answer thereunto Our Self; and the rather because We find by yours, that some Points in the former Letter were not so fully expressed, but that you desire more clear Answers. First you say, that in all your Directions it is condescended, that by Act of Assembly Episcopacy should be declared unlawful in this Kirk; and that by all the Capitulations of Agreement, and Instructions given to you, that same is allowed to be ratified in Parliament upon the foresaid terms agreed upon in the Assembly. In this Point We must tell you, that you are much mistaken: for though you have Power for giving way to the Abolition of Episcopacy, as contrary to the Constitutions of the Church of Scotland; yet you will not find either in your Instructions, or any other Direction since sent you, that We have consented to declare the same Unlawful: We making a great difference therein, for many things may be contrary to the Constitutions of a Church, which of themselves are not simply unlawful; for whatsoever is absolutely unlawful in one Church cannot be lawful in the other of the same Profession of Religion, but there may be many several Constitutions, and yet they all lawful. Therefore if I do acknowledge or consent, That Episcopacy is unlawful in the Church of Scotland, though as you have set it down in your consenting to the Act, the word Unlawful may seem onely to have a relation to the Constitutions of that Kirk; yet the Construction thereof doth run so doubtfully, that it may be probably inferred, That the same Function is acknowledged by Us to be unlawful in any other Churches in Our Dominions. Therefore as we totally disapprove of your consenting to the word Unlawful, as well to the Function, as Civil Places and Power of Church-men, in the Act of the General Assembly: so We absolutely command you, not to ratifie the same in these terms in the Parliament, but onely as contrary to the Constitutions of that Kirk; and to declare, that We ratifie this Act meerly for the Peace of the Land, though otherwise, in Our Own Judgment We neither hold it convenient nor fitting; which you are to declare at the Ratifying of the same. And for the rest of your Declaration in the Assembly, to be registred in the Books of Council, for brevities sake We send you herewith a Copy of the same, as likewise that of the Covenant, interlined in those places which We disapprove of, and conceive to be the contrary to your Instructions, and some other Directions.

As We have formerly written to you, We cannot consent to the rescinding any Acts of Parliament made in favour of Episcopacy; nor do We conceive that Our refusal to abolish those Acts is contradictory to what We have consented to, or to that we was obliged to: there is less danger in discovering any future Intentions of Ours, or at the best letting them guess at the same, than if We should permit the rescinding those Acts of Parliament, which Our Father with  
so



so much expence of Time and Industry established, and which may hereafter be of so great use to Us. And though it should perhaps cast all loose, (as you express;) yet We take God to witness, We have permitted them to doe many things in this Assembly, for establishing of Peace, contrary to Our Own Judgment. And if on this point a Rupture happen, We cannot help it; the fault is on their own part, which one day they may smart for. So you have in this Point Our full Resolution. An. 1639.

We likewise wrote formerly to you, that We thought it not fit at this time, that the Power of the Lords of the Articles should be defined, and that you are to avoid the same, and to be sure not to consent thereunto. Now your last Letter gives Us ground to repeat the same again, and to declare to you, that We remain in Our former Opinion.

And whereas you say, that it is to no purpose to vex Us with all the indiscreet and mad Propositions that are made, since they go about not onely to reform all pretended Abuses, of what nature soever, but to constitute and define the Power of all Judicatories from the highest to the lowest, and that you are like to agree in few or none of the General Acts: If you find, that what We have commanded you to doe is likely to cause a Rupture, their impertinent Motions give you a fair occasion to make it appear to the World, that We have condescended to all matters which can be pretended to concern Conscience and Religion; and that now they aim at nothing but the Overthrow of Royal Authority, contrary to all their Professions, which We can neither with Honour nor Safety suffer. And therefore We hope and expect, that if a Rupture happen, you will make this appear to be the cause thereof, and not Religion, which you know not onely to be true, but must see it will be of great advantage to Us, and therefore must be seriously intended by you.

We have no Directions of new to give you, concerning the Marquis of Huntley, Sir Donald Mack-donald, or any others to whom Malice is carried for their Zeal for Our Service, but again recommend them to your care.

What hath past betwixt your self and the Earl of Argyle, We have heard nothing of; but We are easily induced to believe, that what you wrote of his undutiful Carriage is true, and that you will easily make it appear, to which We will give no unwilling Ear.

Thus you have your last Letter answered, with what for the present and on such a sudden hath come into Our thoughts: and so We bid you Farewell.

Whitehall, Octob. 1. 1639.

The Parliament sate at Edinburgh the day appointed, but their Actings can onely be overly related, they being too remote from the Marquis his Story; so that onely such Generals are to be hinted as occur among his Papers. They consented that for that time Traquair (as Commissioner) should name those Lords of the Articles that were for the Nobility, who should have been named by the Bishops; but protested it should be no Precedent for the future. And they went roundly to take away the Lords of the Articles totally, and were framing all their Acts at the rate of the Assembly. But Traquair, finding he could not hold pace with them, and keep close to his Instructions, to the Letter of which he resolved to adhere, did on the 30<sup>th</sup> of October prorogue the Parliament to the 14<sup>th</sup> of November next. The Covenanters, though they resolved not to sit till the day to which it was prorogued; yet protested against the Legality of any Prorogation without consent of Parliament, and sent

The Parliament sits in Scotland,

and is quickly prorogued.



An. 1639. sent up the Earls of *Dumfermline* and *Lowdon* with the Acts of the Assembly to the King, desiring he would order his Commissioner to give way to their Ratification in Parliament, as also to purge themselves of any Misrepresentations the King might have received of their Actions.

They came to *London* on the 8<sup>th</sup> of *November*: but His Majesty resolved not to see them, since they came from *Scotland* without His Commissioners Warrant; wherefore they were commanded presently to return home. They sent a Letter to the Marquis, (for he would not see them) desiring him to interpose for procuring them a Hearing, and that they might not be condemned unheard; whose Answer was, That the Order which the King had sent them was upon mature Deliberation, and that nothing remained for them but Obedience: so they returned. And the King ordered *Traquair* to prorogue the Parliament, (Proroguing and Adjourning are all one in *Scotland*) to the second of *June* next, and to come up and give an account of Affairs: which accordingly he did, but got a cold Reception, the King being highly displeased with his Subscription of the Covenant, as was before marked. But he complained, that he could have no Assistance from them to obtain any thing if he had not done that, and that it was impossible to prevail with these People, except by Force, or by a total Compliance. The Bishops failed not to take advantage at this trip of his, to pursue him with much eagerness, and he to recover himself was the more earnest to press the King to a new Invasion; assuring him that *Ruthwen* was so strong in the Castle of *Edinburgh*, that he would teach them their Duty, and was very formidable to them. He also furnished the King with a great many Grounds for justifying his following Procedure against them; a chief one being a Letter he had got, which the Covenanters had written to the *French King*, desiring his Protection and Assistance, which was High Treason by the Law of *Scotland*, as being a Treaty with a Foreign Prince without the Kings Permission. And upon these Grounds it was, that the Earl of *Traquair* was afterwards pursued as the Grand Incendiary.

*Traquair* incites the King to a new War.

The Marquis saw there was too much Ground for His Majesties Resentments, either to contradict or condemn them; but that which grieved him was, that he saw not a way how His Majesty should be able to defray the Expence of a War without calling a Parliament in *England*, which was no less formidable to the Court than the Covenanters in *Scotland*, they foreseeing what followed.

At this time the Covenanters sent up their Petition to His Majesty by one *Cunningham*, desiring permission to send some of their Number for their own Vindication: which His Majesty granting, the Earls of *Lowdon* and *Dumfermline* were again sent up. But *Lowdon* being accused of that Letter to the *French King*, was committed to the Tower. Yet he vindicated himself; first, that the Letter was not finished, and had neither Date nor Direction, since that which was on the back of it (*An Roy*) was added afterwards, and by another Hand; next, that it was written before the Pacification, and so was buried by the Oblivion; that it was never sent, and that it was designed onely that the *French King* should interpose and mediate for them. Upon all this he offered himself to a strict Trial by his Peers in *Scotland*: but added, that he being sent by the States of *Scotland*, and come upon His Majesties Warrant, was first to be returned a Freeman thither, and thereafter to be accused and

The Earl of *Lowdon* committed to the Tower.

and tried. This Accident troubled the Marquis extremely, for he knew *An. 1639.* it would raise Clamours against His Majesties Justice, among those who were inclined to misconstrue his Actions; and indeed it was highly resented by the *Scotish* Lords, as a violation of the Law of Nations to meddle with any publick Messenger: but the King judged no Consideration could warrant his Subjects to commit Treason, nor secure them from Trial and Censure when found Guilty. There were some ill Instruments about the King, who advised him to proceed capitally against *Lowdon*, which is believed went very far; but the Marquis opposed this vigorously, assuring the King, that if that were done, *Scotland* was forever lost. They would then have somewhat to pretend against so much as Petitioning and Treating: besides, it was against the Laws of *Scotland* to proceed against a *Scotish* Peer for a Crime committed in *Scotland*, but by the Peers of *Scotland*. And after all this, he assured His Majesty, that he knew few of the Covenanters who might be more able to serve the Kings Interest, and could be more easily gained than *Lowdon*. And the truth was, that Letter was signed by six of the Covenanting Lords, but being put in the hands of the Lord *Mirland* to sign it, (as he told the Writer) he found it was False *French*; and so it was laid aside for that time, and never again taken into consideration: but one taking up the Letter brought it to *Traquair*. His Majesty being of himself both Just and Good, did reject those cruel Counsels, as hurtful to his Service: yet *Lowdon* continued prisoner for some months; his Enlargement shall be mentioned in its proper place.

But how to proceed in the publick Affairs was a hard Chapter. *A new War with Scotland.* Which way the Counsels were taken this Winter, doth not appear to the Writer, but from the Effects. Only the Marquis was full of apprehensions, foreseeing that it would be impossible for the King to do much without a Parliament in *England*, and Subsidies granted by it; but they had reason to think the Parliament would begin with Grievances, before they went to Subsidies; and if their enquiring into the former proved long and fierce, as it would protract the Kings Supply, it might also breed Irritations and Heats, and end in a Rupture, without relieving the King. Neither could much be expected from a Loan of Money: most of the Cities (*London* especially) were not well-affected to the Court, and so were like to prove backward and narrow; and all might be promised from that, was to put off one Summer: but the *Scotish* Storm was like to lie longer. Besides, he believed, that if the Loan of Money went through, the *Scots* would think that a good reason for their entering into *England*, to make the Northern Countries the seat of the War, which would prejudice the Kings Service in *England*. All this he foresaw well, and therefore was rack't with perplexity: only he was not doubtful what to doe himself, resolving to follow the Kings Interests on all hazards: and in these Consultations this Year ended.



An. 1640.

Anno 1640.

They prepare  
in Scotland  
for War.

IN Scotland they begun again to prepare for a new War: and the Ministers this year were likewise very busie, taxing the King, as having violated the late Pacification, because way was not given to all their Acts. Besides, it was preached in the very Pulpits of *Edinburgh*, that the King had caused burn at *London*, by the hand of the Hangman, the Articles of the Treaty at *Berwick*. This was founded on the Censure was put on the Paper spoke of last year, which they gave out as the Conditions of Agreement; and was burned by Order of the Council of *England*, upon the Declaration made by all the *English* Lords who were on the Treaty, That no other Articles were agreed upon, beside the Seven above-mentioned: yet this took with the People. Next, they laid on great Taxes for paying the last years Debts, and defraying the Expence this year was like to draw on: and for procuring of Money, they fell on a new Device, to cause the Ministers exhort all to lend liberally for the Service of the Cause; which they did with so much Art and Zeal, that the Women came, and brought in their Jewels, Rings, and Plate, however much Money was not got that way, and all was farshort of what they needed: therefore divers of the most zealous of the Lords, chiefly the Earls of *Roxes* and *Cassils* did give Bonds for great sums of Money, and one *Dick* a rich Citizen of *Edinburgh* was got to lend them many thousand pounds.

*Lanrick* made  
Secretary of  
State.

In *February* the Earl of *Sterlin* the Secretary died, for whose Place the King made choice of the Marquis his Brother, Lord *William*, whom he created Earl of *Lanrick*. It was indeed the Kings choice, for neither had the Marquis moved it, nor himself pretended to it. The Earl of *Lanrick* did act so considerable a part in Affairs after this, that methinks their History should be as little divided, as their Counsels and Affections for the Kings Service were: and therefore as *Lanrick's* Actions come in my way, they shall not be passed over in silence. Being made Secretary, his first care was to inform himself of all that belonged to his Place and Duty, in the discharge whereof he resolved neither to spare labour or industry, that thereby he might supply the defect of his years, which were then but four and twenty.

But to go on with the *Series* of the Story, the King went on carefully with his Preparations; only the Charge of a Fleet was so great, that he could not think of it this year, but sent out as many Ships as stopt the *Scottish* Trade. And finding how ill he had been served by his Lieutenant-Generals the former year, and confiding both in the valour, fidelity, and conduct of the Earl of *Strafford* then Lord Lieutenant of *Ireland*, he was called over to be Lieutenant-General in this Expedition: and the Marquis was designed Colonel of the Kings Regiment of Guards.

The state of  
Affairs in Scot-  
land.

In *Scotland* they were gathering Money, bringing in more Arms, and fortifying suspected Places, few resisting them, except *Huntley* in the North, and *Niddisdale* in the South; but the later was able to doe little. The Marquis had divers Letters from my Lord *Lindesay*, which are yet extant, complaining of the Preparations they heard were making against them: That Officers for the Army were already named, Money was gathering; not only *Berwick* & *Carlisle* were fortified, but *Edinburgh-Castle* and *Dumbriton* also had new men put in them, and *English*-men were put



put in the former; whereupon they were forced to resolve on hazard-  
 ing the utmost for the Defence of Religion and Liberties, and that all  
 were Contributing very liberally, and knew of good Friends, both in  
 England and abroad; wherefore he assured him, if things went to ex-  
 tremities, they would not end so well as they did last year. And he  
 besought him that he would prove a good instrument betwixt the King  
 and the Country, protesting, that for his own part nothing next to  
 Religion went so near his Heart as the Kings Service. In end, he conju-  
 red him not to accept of any new Service, if it went to an open Breach,  
 assuring him he would be ruined if he did; telling him that God had  
 provided a relief for them beyond their expectation. The Marquis  
 carried all these Letters, as he got them, to his Majesty, and by his  
 command wrote the following Answer.

My Lord,

I Received yours of February, wherein you endeavour to let me see The Marquis  
 the hazard that His Majesty may run, if he take not a peaceable Course with his Letter to  
 his Subjects of Scotland, which you say, I am reported to be no adviser of; the Lord  
 as likewise the unavoidable Ruine that will befall me, in case of my accepting Lindsay.  
 of any Imployment against them.

The Arguments that you use, are the Resolutions of your own People, and  
 the assistance that you will have elsewhere, the particular way you forbear to  
 write; yet you say, that God hath provided it beyond your expectation; and  
 as it was beyond your expectation, so it is still beyond my belief; my Reasons you  
 shall have anon. But first I will say somewhat concerning my self.

Know then, Brother, for a truth, that I heartily pray a Curse may fol-  
 low him and his Posterity, that doth not endeavour and wish, that these un-  
 happy Troubles may be composed in a fair and peaceable way. God, who  
 knoweth the Secrets of all mens thoughts, can bear me record, with how much  
 care, pains, and zeal I have endeavoured that; and I promise you, I shall as  
 faithfully continue in that Course, as ever man did, in any Resolution which  
 was with reason grounded in his heart; how few either believe, or know this,  
 I care not, for I have laid my account long since, and am resolved on the  
 worst that can befall me. And for your further satisfaction, know, that no-  
 thing can grieve me more in this World, than to be sent in any Hostile man-  
 ner against my Friends, Kindred, and Country; where at the best, though  
 I may merit something from His Majesty, (to whose Goodness I owe much  
 besides the Duty of a Subject) yet I shall never be called other than the De-  
 stroyer of them; and what cause of Sorrow this will be to a kind-hearted  
 Scotch-man, I leave to you to judge. Therefore I assure you, that if either  
 my Industry, Intreaties, nay Prayers prevail, no such Charge will be impo-  
 sed on me, my inclinations having always led me in this rather to follow your  
 Advice, and absent my self, in case things come to the worst, than to accept  
 of that Employment; though I must tell you, it may bring along with it His  
 Majesties Displeasure, and so consequently certain Ruine. Yet I do intend to  
 put that to the hazard, and if it happen, I will have the Vanity to say, it will  
 neither prove advantageous to the Country, nor to those in it, who once did  
 me the Honour to esteem me their Friend. To conclude this point, consider,  
 if a Navy come, probably I must be miserable; for what can I gain by it? if  
 employed, a Discontented Life ever hereafter. If the King should impose the  
 Charge on me, and I refuse it, what the better would you be? an abler would  
 be employed in it, and I need never look for His Majesties Favour there-

*An. 1640* after, and without that in his Kingdom will I never live. If I had no other Reasons but these, (but I could write you forty more,) consider if I have not cause to endeavour Peace, and believe me I will do it.

For the Danger that His Majesty will run if he enter into this War, I do acknowledge with you it may be great; but that certain Ruine must follow; I cannot confess: yet I must say, that his Gain will be but small, when he hath got that by Force which is his, or ought to be his already; but what remedy? He conceiveth a Kingdom to be lost, and two will be hazarded to regain that, if they continue in the Course they are in.

For the Assistance you mention God hath provided for you elsewhere, that is conceived to be used as an argument to fright us: For from whence can it come?

From a Party in England? Trust not to that, nor give credit to a few Factions Spirits, with whom perhaps Correspondence may be kept.

From France? Reason and the knowledge of their Affairs make us confident, that no great matter can come from thence: Reason, for they will not assist the Rebels (for so you will be called) of a King for examples sake; and the necessity of their Affairs, for we know they have enough to do elsewhere.

From Sweden? Though they perhaps be willing, yet it is known, they have not men to do it in these Parts.

From Holland? The Body of that Estate hath by their Publick Ministers disallowed your Actions, and hath given assurance that they will be far from either giving Countenance or Assistance to you; what private men may doe by way of Stealth, is little regarded or to be esteemed.

Thus I freely write what is thought of the Assistance you are like to get from abroad, of which Opinion I shall still be, unless you can make it more clearly appear; therefore I will use the old Proverb to you, Beware that your stout Hearts make not your Heads dry a Gutter, and make you neglect the receiving of His Majesties Pleasure with all thankful Obedience, which, for any thing I know, nay I durst Swear, will be no other than stands with the true Protestant Religion and the Laws of the Kingdom. What pity is it then, that these mistakes should continue? but how much more will it be, that they should encrease to a Bloody War. If all amongst you would rightly consider what true Religion and Piety is, and lay that only before their Eyes, there are yet, not only good hopes, but certain assurances of a peaceable Conclusion of those unhappy Troubles; and as you have advised me, so let me you, (which perhaps may be the last time, that on this Subject I shall write to you) endeavour Peace, which if gained, the effusion of much Christian Blood will be saved, the Country preserved, Scottish-men esteemed Valiant, Just and Loyal, not only in this Kingdom, but through all Europe, and no man happier than

Your now much troubled,  
and affectionate Brother,

HAMILTON.

#### POSTSCRIPT.

For Answer to your Postscript, I am not in despair, but to bring it to a good pass if your own carriage do not marre it; for His Majesty is content to sign the Signature, but it is to remain in my hands, and not to be delivered except

except your Carriage do deserve it, as well as Crawfords, who knows not as yet, how far His Majesty hath condescended. This Letter is not fit to be long kept, therefore it will not be amiss it be burnt. Let me hear from you with the first occasion, and thereafter I care not how seldom, if matters come to the worst. An. 1640.

Since the writing of this, the Letter which Rothes wrote to the Chamberlain by Dumfermline was this day publicly read at Council-board, His Majesty being present: it hath produced contrary effects to what (I believe) he expected, for not only doth the Chamberlain swear that there is not one true word in it, but hath beseeched His Majesty, that Rothes may be called to an account for the traducing of him in so high a nature, (to use his own words) nay to make him, (if it were in his Power) appear to be a greater Traytor than himself. In a word, the whole Table was much scandalized with the Letter, and no wayes satisfied with the Writer of it, even though it had been all as he expressed.

I profess I have loved Rothes, and am sorry when any misfortune befalls him; and likewise I thought fit to mention this, that you may see what those of this Country will doe, when it comes to an issue; therefore I hope not only he, but the whole Country will take example by this, and grow wise while there is time.

This Letter he carried to the King, and at the end of that Copy he retained, yet extant, His Majesty with his own hand wrote,

*I have perused this Letter, and have not only permitted, but commanded that it should be sent.*

Whitehall, 2 March

1639.

CHARLES R.

This is set down to shew what his Correspondence with his nearest Friends was, and how warranted by His Majesty.

But that the Reader may not be wholly in the dark about the Grounds of this Confidence the Covenanters had, I shall set down what I had from some Persons of great Honour, who were fully informed about it. When the Earls of Dumfermline and Lowdon came to London, a Person of Quality of the English Nation (whose Name is suppressed because of the Infamy of this Action) came to them, and with great vehemence pressed them to engage in a new War, and among other Motives brought them Engagements in writing from most of the greatest Peers of England, to joyn with them, and assist them when they should come into England with their Army. This did much animate them, for they had not the least doubt of the Papers brought them. But all this was discovered at the Treaty of Rippon to have been a base Forgery: for there the Scottish Lords looking very sullenly on some of the English Lords, as on Persons of no Faith or Truth, the Lord Mandevil came to the Earl of Rothes, and asked the reason of that Change of their Countenance and Behaviour in them, who after some high reflections, at length challenged him and the other Lords of not keeping what they had engaged to them. Upon which that Lord stood amazed, and told him, and so did the other Lords there, that they had sent no such Messages nor

The Grounds  
of the Cove-  
nanters Confi-  
dence.



An. 1640. nor Papers to them, and that they had been abused by the blackest Imposture that ever was. Thus it appeared how dangerous it may be to receive some things that seem to have the highest Probabilities in them easily and upon trust.

A short Parliament in England.

The Councillours lend Money.

In April following the King called a Parliament in England; but they begun with their Grievances, in which they rose to so high a strain, that after twenty days Sitting the King by advice of his Council dissolved them: but the hopes of Money from the Parliament failing, the next Course was to try, what could be drawn by Loan; and for good example the Councillours subscribed for near two hundred thousand pounds Sterlin. What the Marquis his part was in this I should have willingly concealed, judging fit that his Story should be as sparing in relating it, as himself was modest in not boasting of it: but *Sanderfon*, and some other malicious or ignorant Pens, who say, *That he pretended Poverty, and subscribed for none*, force me to free him of that Calumny, by a true Relation of what his Duty to the King cost him at this time. He subscribed for 10000 *l. Sterlin*, and laid down *Eight thousand* of it presently in Gold: likewise in August following at York he again subscribed, and laid down Six thousand and three hundred pounds, for both which he had Tallies struck. Besides this, when he served as Commissioner in Scotland in the year 1638. he got no Payments made him; Ten thousand pounds Sterlin was allowed him, of which he had not received a farthing: and besides the great expence he was at in that Service, he laid that year out of his own Money about 5000 *l. Sterlin* on the Kings account. And thus in the space of four years he advanced to the King near *Thirty thousand pounds Sterlin*, and this was in a time when the advantages he had by his Places and Pensions were (through the necessity of the Kings affairs) dried up.

But since I was forced to say this, I must not conceal His Majesty who now reigns, His Justice and Goodness to his Heiress, in repaying the sum contained in those Tallies, together with the other Royal effects of His Favour, which they have felt in the repayment of the *Scotch Debt*.

This is said once for all, and all this was little reckoned of by him, who was ready to hazard both Life and Fortune for His Majesties Service, acknowledging that it was Just, since he and his Ancestors owed so much to the King and his Progenitours bounty, that all he had should be spent in his Service.

Ruthwen a terror to the Covenanters.

The Covenanters in Scotland were beginning to look to themselves, and fearing *Ruthwen*, who was in the Castle of *Edinburgh*, they required him to obey their Orders: but he told them, he had his Trust from the King, and would acknowledge no Commands but his; whereupon they blockt him up. He might easily have done them much Mischief, but his Orders were to hold himself most on the Defensive, and to amuse them, but not to break out to open Hostilities, within which limits he contained himself.

The Parliament sits notwithstanding the Kings Orders for proroguing of it.

The second of June came, which was the day the Parliament was to Set: but the King had sent down an Order to the Justice-Clerk for proroguing it, and he was to carry along with him in this Affair the assistance of the Kings Advocate, who was at this time confined to his House in Fife by the King, upon pretence of some petty maleverfation in his Office, but really because of his adhering to the Covenanters too much.

much. The Kings Advocate was glad both of being delivered from *An. 1640.* that Disgrace; and for being honoured with the Employment. But to clear the Method in which he intended to proceed to make this Prorogation legal, I must look back a little; when *Traquair* got his Commission under the Broad-Seal, there was another Commission given under the quarter-Seal to the Lord *Elphinstown*, the Lord *Napier*, the Kings Advocate, and the Justice-Clerk; these or three of them were impowered to act as Commissioners in *Traquair's* absence, and upon his Orders. Therefore the Kings Advocate judged it needless to fill up a Blank that was sent down to be made use of if need were, to make the Prorogation Legal; but resolved to require one of the other two, to concur with the Justice-Clerk and himself in the Prorogation, which was to be done after the Parliament was Fenced; therefore they provided the persons necessary for Fencing of it, (a Ceremony they use in the beginning of a Session) who are the Constable, the Marshal, the Provost of *Edinburgh*, the Sheriff of *Lowthian*, and a Doomster; and if any of these be absent, the King must name others for their Service that day. So the Members of Parliament being met, the Kings Advocate required the Lord *Elphinstown*, who was first in the Commission, to go up with them to the Throne, for executing the Kings Commands; who having read the Commission, found their Power was only to act by the Commissioners Order, and therefore called for *Traquair's* Warrant: the Kings Advocate answered, That as when the King is present a Commissioners Power of it self expires, so also when his Warrant is produced, there is no need of one from his Commissioner. But *Elphinstown* stood on the Letter of the Commission, and so found, he was not legally warranted to doe it. That same was the Lord *Napier's* Answer, who was also of the Commission, and so the Kings Advocate and the Justice-Clerk could doe nothing but take Instruments. Many imputed this to the Kings Advocat's Jugling; but he vindicated himself solemnly, which is extant under his Hand, with a long Narrative of this whole Affair sent up by him to the King. However the effects of this Errour were great; for the Members voted themselves to be in a Parliamentary Capacity, as being summoned by the King at first, and again adjourned to this day: whereupon they proceeded to the Enacting of what they had designed the former Year; and their Acts, though of great importance, yet meeting no opposition were quickly dispatched: all which with a Prologue and Epilogue of two high Declarations were sent in the Packet to the Earl of *Lanerick*, with the following Letter written by a Committee of Lords they had left to sit at *Edinburgh*.

Right Honourable,

**I***T is not unknown to your Lordship with what difficulties this Kingdom hath wrestled this time past, in asserting their Religion and Liberties against the dealings of bad Instruments with His Majesty to the contrary. The Means which they have used have been no other, but such as they humbly petitioned and obtained from His Majesty, a Free National Assembly and Parliament. The Assembly went on in a fair way, and was closed with the liking and full consent of His Majesties Commissioner; but the Parliament indicted by His Majesty was prorogated, till the Reasons of the Demands of the Estates were rendred to His Majesty: which having done by their Commissioners, they kept the second of June (the day appointed by His Majesty) for the sitting of the*

A Letter from the Committee of Parliament to *Lanerick*.



*An. 1639.* the Parliament. And after diligent Inquiry, hearing nothing from His Majesty nor His Commissioner, neither by their own Commissioners, or any other sent from His Majesty, which might hinder the Parliament to proceed to the settling of their Religion and Liberties, after mature Deliberation and long waiting for some signification of His Majesties Pleasure, they have all with one consent resolved upon certain Acts, which they have judged to be most necessary and conducive for His Majesties Honour and the Peace of the Kingdom, so far endangered by Delays: and have committed to us the Trust to shew you so much; and withall to send a just Copy of the Acts, that by your Lordship (His Majesties principal Secretary for Scotland) they may be presented to His Majesty. The Declaration prefix'd to the particular Acts, and the Petition in the end, contain so full Expressions of the Warrants of the Proceedings of the Estates, and of their humbly continued Desires, that no word needs to be added by us. We do therefore in their Name (according to the Trust committed to us) desire your Lordship (all other ways of Information being stopt) with the presenting of these Acts of Parliament, to represent unto His Majesty, against all Suspensions, Suggestions, and Tentations to the contrary, the constant Love and Loyalty of this Kingdom unto His Majesties Royal Authority and Person, as their Native King and kindly Monarch; and that they are seeking nothing but the establishing of their Religion and Liberties under His Majesties Government, that they may still be a free Kingdom to doe His Majesty all the Honour and Service that becometh humble Subjects: that their Extremity is greater through the Hostility and Violence threatned by Arms, and already done to them in their Persons and Goods, by Castles within, and Ships without the Kingdom, than they can longer endure: and that as His Majesty loveth His Own Honour, and the Well of this His Ancient Kingdom, speedy course may be taken for their relief and quietness; and that if this their faithful Remonstrance (which as the great Council of the Kingdom they found themselves bound to make at this time for their Exoneration) be passed over in silence, or answered with delays, they must prepare and provide for their own Deliverance and Safety. We are very hopeful that your Lordship (as a good Patriot, and according to the Obligement of your Place) will not be deficient in that Duty for your Native Country, and send us a speedy Answer, as we shall in every Duty be careful at all occasions to shew our selves

Edinburgh,  
17 June, 1640.

Your Lordships humble Servants:

Signed,

Balmerino	J. Murray	Ed. Eggar
Burghly	J. Hamilton	Tho. Paterfon
Napier	G. Dundas	Ja. Sword
Thomas Hop	J. Smith	

The Covenanters did also sign a Bond among themselves for adhering to these Acts, and prosecuting of those who had been the Incendiaries from the beginning of these Stirs, the Marquis and Traquair being the chief of them.

The King is  
highly offend-  
ed.

But all this gave great Offence at Court, the King looking upon it as a bolder Attempt than any yet made, which struck at the root of His Authority, and overturned the Fundamental Laws of Scotland; and therefore he judged himself bound to repair this Affront with the Sword.  
God



God had put in his Hands. At this time the Marquis got the following Memorial sent him from my Lord Lowdon out of the Tower of London, written all with Lowdon's Hand, and yet extant. *An. 1640.*

*Memorandum for the Lord Lowdon,*

**T**O speak to the Marquis of Hamilton, that according to that Interest of Blood, and the Confidence which the Lord Lowdon reposeth in him, *Lowdon moves for his Enlargement.* his Lordship may be pleased to intercede seriously with the King, that His Majesty may be Graciously pleased to consider of the Petitions and Informations which have been tendered to His Majesty from the Lord Lowdon, and for him from Scotland, which do abundantly clear his Innocency concerning that French Letter, in respect of the time and occasion of writing that Letter, the Letter it self being onely for Mediation and Intercession, as is clear by the Instructions yet extant, to have been sent with that Letter, which are the true Commentary of the Letter. The Letter it self was never sent nor used, but rejected, and no other Letter sent. It was written long before the Pacification, wherein His Majesty was Graciously pleased to pass all preceding Deeds in Oblivion.

¶ The Lord Lowdon came hither upon His Majesties Own Warrant, which is sufficient for his Indempnity and Return, till he be exonered of his Employment. He came from the Parliament with Commission from them to shew His Majesty the Reasons of their Demands, trusting confidently in His Majesties Justice and Goodness, and with most Loyal Affection and Ardent Desires to have given His Majesty satisfaction, and to have returned with no less Fidelity and Forwardness in carrying and pressing His Majesties Royal and Just Commands, during which time he could expect nothing less than that he would be called in question for a prior Deed; all which are most manifest by the Petitions and Informations presented to His Sacred Majesty.

Therefore I most humbly beseech, that His Majesty may be Graciously pleased to consider of the former Petitions and true Informations, which being pondered in the Balance of His Majesties Righteous Judgment, I am most confident my Innocency will appear clearly to His Majesty, and that I will find such a speedy delivery, as may give demonstration to the World of His Majesties Justice and Goodness, and as may not onely from the Conscience of my Duty, but likewise from the sense of His Royal Benignity, encourage me ever to contribute my best Endeavours for furthering of His Majesties Service.

And if His Majesty be not fully satisfied with my humble Petitions and true Informations of my Innocency and Loyalty, but doth notwithstanding thereof harbour any opinion of my Disloyalty, or casting off my dutiful Obedience and Subjection to His Majesty, or offering Subjection to any other King or Potentate in the World, I am content to undergo the most exact Trial which is agreeable to the Laws of that Kingdom by which onely I ought to be judged, rather than lie under such a heavy Imputation, which to me (who am conscious of my own Innocency, and of my most tender and humble Duty towards His Majesty,) is more grievous than my Sufferings, which can onely prejudice and hurt me and my private Estate, but can no ways conduce for advancing of His Majesties Service, but rather be a hinderance to the Accommodation of Affairs; whereas my Liberty or lawful Trial will serve for the Illustration of His Majesties Justice to the World, and will make His Subjects without fear of danger to tender their humble Suits and Remonstrances at the Throne of His Royal Justice.

An. 1639.

The Marquis  
treats with  
him by the  
Kings Order.

Upon this the Marquis pressed the King much for my Lord Lowdon's Enlargement, since the Covenanters made great noise with it in all their Complaints, and pretended, that they durst send up no more Commissioners; and therefore they sent their Acts in the Packet.

He did also shew His Majesty, that he knew by the Lieutenant of the Tower that Lowdon was very fearful: wherefore he desired permission from the King to try what this Fear could draw from him, and to see if his Enlargement, with the hopes of a Noble Reward, could engage him to the Kings Service; which (if obtained) might prove of great advantage; since the Irritations he had received would make his Advices less suspected in Scotland. His Majesty approving this, he treated with Lowdon, and found him abundantly pliant: and so on the 26<sup>th</sup> of June he agreed with him on these Terms, which he got under Lowdon's Hand, in two Papers yet extant.

I. **T**HE Lord Lowdon doth promise to contribute his faithful and uttermost Endeavours for His Majesties Service, and furthering of a happy Peace, and shall with all possible diligence and care go about the same, and shall labour that His Majesties Subjects of Scotland may in all humility petition, that His Majesty may be Graciously pleased to authorize a Commissioner with full Power from His Majesty to establish the Religion and Liberty of that His Majesties Native and Ancient Kingdom according to the Articles of Pacification, and that by a new Convening or Session of the Parliament, without cohesion or dependence on what hath been done by themselves without His Majesties Presence, or of a Commissioner to represent His Majesties Royal Person and Power.

II. That if there be not an Army already convened in Scotland in a Body, he shall endeavour that they shall not convene, nor come together during the time of Treaty, in hope of Accommodation; and if they be already convened in a Body before his return, he will labour that they may dissolve and return to their several Shires, or dispose so of them, that they remain not in one Body, as may best evince that they intend not to come into England; but may carry themselves in that respective way, as may best testifie their Duty to His Majesty, and their Desires of Peace.

III. That if General Ruthwen shall happen to become their Prisoner, they may (as a testimony of their desire to shun every thing which may provoke His Majesties displeasure) preserve him, and that the Lord Lowdon will shew how far he is engaged for his Safety.

IV. That when Affairs shall be brought to a Treaty in Parliament, and that His Majesty shall be Graciously pleased to settle the Religion and Liberties of the Kingdom according to the Articles of Pacification, he will endeavour that the Kings Authority shall not be entrenched upon, nor diminished, that they may give a real demonstration to the World, how tender and careful they are, that His Majesties Royal Power may be preserved both in Church and State.

V. That what is done or imparted to the Lord Lowdon concerning His Majesties Pleasure shall be kept secret, and not revealed to any here, further than His Majesty shall think expedient.

That the Lord Lowdon shall (as soon as conveniently he can) return an account of his Diligence.

There



An. 1640

There was given with this another Paper, which follows.

*Memorandum of what passed betwixt the Marquis of Hamilton and me, 26 June 1640.*

**B**Ecause no great matters can be well effectuated without Trust, Fidelity, and Secrecy; therefore it is fit that we swear Fidelity and Secrecy to others, and that I shall faithfully contribute my best Endeavours for performance of what I undertake; and that my Lord Marquis doe the like to me.

I.

Our desires and designs do tend mainly for Preservation of Religion, Laws, and Liberties of the Kingdom, the Kings Honour, and of His Royal Authority, and for establishing of a happy Peace, and preventing of Wars; and we are to advise and resolve upon such ways and means as may best conduce for these ends.

II.

If (after using of our utmost Endeavours) it be not Gods will that we may be so happy as to obtain such a Peace in haste, as may content the King and satisfie his Subjects, till differences draw to a greater height, and beginning of Wars, to resolve what is fit to be done in case of such an Extremity, for attaining a wished Peace, and to condescend what course we shall take for keeping of Correspondence.

III.

If my Endeavours and Service (which doubtless will put me to a great deal of expence and pains) shall prove useful for His Majesties Service and Honour, and the Good of the Kingdom, which are inseparable, the Marquis will intercede really, and imploy his best Endeavours with the King, to acknowledge and recompence the Lord Lowdon's Travels and Service, in such manner as a Gracious King and Master should doe to a diligent and faithful Servant.

Upon this Lowdon was enlarged next day, and permitted to go down to Scotland; but those who did not know the Secret of this, thought the King had weakened himself much, by letting go an Hostage of such importance: and this gave new Suspicions of the Marquis his Tamperings with the Covenanters.

Lowdon is enlarged.

His Majesty commanded the Earl of Lanerick to write, by the Lord Lowdon, the following Answer to the Letter sent up by the Lords of Scotland, with the Acts they had lately passed.

My Lords,

**B**y my former of the Date the 23<sup>th</sup> of June, His Majesty was pleased to promise by me, to let you know within few days His further Pleasure concerning those Proceedings and Desires of the Noblemen, and Barons, and Burgeses, which you sent me to be presented to His Majesty; whereupon he hath now commanded me to tell you, that the not proroguing of the Parliament in a Legal and Formal way, was not for want of clear Instructions, and of full and ample Power from His Majesty, He having fully signified His Pleasure to those whom He did entrust with the executing thereof, not thinking it fit to imploy other Servants of greater Eminence, by reason of the disorders and iniquities of the Times: and as forced by the importance of his other great and weighty Affairs, He was necessitated to prorogue the Parliament for some few days, so did He most really intend to perform at the time prefixed whatsoever He had promised by the Act of Pacification. But neither can the neglect of His Servants, (if any be) nor those other Reasons alledged by the foresaid Noble-

Lanerick's Answer to the Committee in Scotland.



*An. 1640. men, Barons, and Burgesſes, in their Declaration for their Sitting, ſatisfie His Maieſty for their proceeding in a Parliamentary way; ſince by the Duty and Allegiance of Subjects, they are bound to acknowledge in a moſt ſpecial manner His Tranſcendent Power in Parliaments; and if Subjects there do aſſume the Power of Making Laws, and of Reſcinding thoſe already made, what Act can be done more derogatory to that Regal Power and Authority we are all ſworn to maintain? Therefore His Maieſty conceives, they cannot in reaſon expect He can interpoſe His Royal Authority to theſe, or any other Acts whatſoever, whereto neither He in His own Royal Perſon, nor by His Commiſſioner did aſſiſt. Yet ſuch is His Maieſties Clemency, that when they ſhall take ſuch an Humble and Dutiful way as may witneſs, that they are as careful and tender of His Maieſties Royal Power, as they are deſirous of His Approbation, then ſhall it be time for them to expect ſuch a Gracious and Juſt Answer, as may teſtifie His Maieſties Fatherly Compaſſion of that His Native Kingdom, and his Pious and Princely care of performing whatſoever is neceſſary for eſta bliſhing their Religion and Laws. So thus having imparted unto you all that was enjoyned me by His Maieſty, I ſhall ſay no more from my ſelf, but I am*

Whitehall 27<sup>th</sup> of  
June, 1640.

Your Lordſhips humble Servant,

LANERICK.

My Lord Lowdon found matters at ſo great a height, that he was able to do little more than give intelligence, that he delivered the Letter to the Lords at Edinburgh, who returned to it the following Answer.

My Lord,

The Reply of  
the Commit-  
tee.

**W**E received your Lordſhips Letter of the 27<sup>th</sup> of June from the Lord Lowdon, whoſe relief out of Priſon, gives us occaſion (before we answer your Lordſhips Letter) to acknowledge the ſame as an act of His Maieſties Royal Juſtice and Goodneſs, altho' the pretended cauſe of his Impriſonment was but a malicious Calumny of the Enemies of the Kings Honour and our Peace, forged to engage both His Maieſties Kingdoms in a National War. As we cannot but regrave, that any neglect of His Maieſties Officers, or abſence of His Commiſſioner, whoſe preſence we did both deſire and expect, ſhould hinder the interpoſing of His Royal Authority to theſe Acts of Parliament, which were found moſt neceſſary for eſta bliſhing Religion and the Peace of this Kingdom, and which according to the Acts of Pacification, His Maieſty was graciously pleaſed to promiſe; ſo we have and ſhall ſtill endeavour to give demonſtration of that tender Reſpect we have of His Maieſties Honour and Royal Power. And whereas your Lordſhips Letter doth imply, that we ſhould take ſome other way for the more eaſie obtaining His Maieſties Approbation, which alſo by ſeveral reaſons hath been moſt inſtantly preſſed by the Lord Lowdon; yet we conceive that Parliamentary way, which was taken by the Eſtates convened by His Maieſties Special Warrant, to have been moſt Legal and neceſſary, and no ways derogatory to His Maieſties Power in Parliament, nor contrary to the Duty of good Subjects, who are warranted by the Articles of Pacification, under His Maieſties Hand, to determine all Civil queſtions, ratifie the Concluſions of the Aſſembly, and remove the preſent Diſtractions of this Kingdom, as is more abundantly demonſtrated by their Declaration

claration in Parliament thereabout. So that we dare not take any other *An. 1640.*  
 Course, which may entrench upon their Parliamentary Power, or Proceedings; nor will we (being so few in number appointed by them to stay here) presume of our selves, in a matter of so great moment, to return a more full and particular Answer, till there be a more frequent Meeting of those appointed by Parliament, which will be shortly; and then your Lordship shall be acquainted, that you may shew His Majesty their Resolutions and humble Desires, and we shall remain

Edinburgh 7<sup>th</sup> of  
 July, 1640.

Your Lordships affectionate  
 Friends and Servants:

Signed,

Lindsay.	Napier.	Ja. Sword.
Balmerino.	J. Murray.	J. Forbes.
Burghly.	G. Dundas.	Ed. Eggar.

They went on with their Preparations, and caused all to bring in the tenth Penny of their Rents, to make this War look like a Sacred one, since carried on by the Tithes: and ordered their Forces to be drawn together. Mean while the King went on at as good a pace as he could, and went from London in the end of July, to make his Rendezvous at York. The Earl of *Strafford* staid some time behind, partly for Sickness, partly to see what Money could be borrowed from London; and at this time there were great and high Misunderstandings between him and Sir *Henry Vane*, both making their Complaints to the Marquis by their Letters. *Strafford* was also to bring an Army out of Ireland, upon the West of Scotland, whereupon they in Scotland drew their Forces together in the end of August, and resolved to march into England, and make that the Seat of the War, pretending (as by their Declaration then emitted doth appear) that their Trade was block't up by English Ships; that in England and Ireland, Scotchmen were proceeded against for taking the Covenant, and the English Council had voted a War with them: wherefore, they said, they were constrained to go into England with their Petitions, declaring they came not to invade England, but to avert the Invasion of their Country, that was designed; adding, that they should be so far from doing prejudice to any in England, that severe Justice should be executed upon those who took any thing in England without payment. And about this time *Ruthven*, being for many months block't up in the Castle of *Edinburgh*, (so that Victuals and Ammunition were spent, his Water also failed, and most of his Souldiers died,) was forced to Capitulate, and render up the Castle to the Covenanters.

The Preparations are great in Scotland.

But not to stand too long on matters universally known, as soon as they entred England, the King by Proclamation declared them Traytors on the 22<sup>th</sup> of August: yet they went on, and when they came to the Ford of *Tine* at *Newburn*, some miles above *Newcastle*, they found it guarded by a Body of Foot, who had raised a Brest-work near the River, and lay there to obstruct their passage. Yet no sooner did the Scottish Cannon begin to play, but they, struck with Fear, threw down their Arms and run away; whereupon the General passed over with some Troops

The Scottish Army enters England.

*An. 1640.* Troops, and they were encountred by three Troops, commanded by *Wilmot*, whom after a little Dispute they routed: their Officers were taken Prisoners, and some were killed. And after this the whole Body of the *English* Army, that lay there, marched to *Newcastle*, which consisted of 2000 Horse, and 9000 Foot: the Disorder among them was the greater, because the Lord *Conway*, who Commanded, had gone that day from the Camp to Dine at a place about a miles distance called *Stella*. The *Scots* continued passing till it was late, and lay in the Fields all night: next day they marched towards *New-Castle*, and were beginning to be in some strait; for they had driven as many Cattle out of *Scotland* with them, as served hitherto for their Provision, and were resolved to take nothing in *England* but for payment, which would have been a vast charge to them. They purposed therefore to summon *New-Castle*, and in case it yielded not, to threaten to burn all the Coaleries which lay on the South-side; though they designed not the executing of that, for fear of making the Rupture beyond remedy. But as they were marching, doubtful what Course to take, they met a *Scotchman*, who had been a prisoner at *Durham*; he told them, how that morning by fix a Clock all the *English* Forces had march'd throw *Durham* in great haste; whereupon they went forward, and found *New-Castle* open to them, and there they took up their Quarters, and found great Magazines of Provision, which the King had laid in for his Army, and by those they maintained their Army a great while.

The *English*  
Forces are  
routed; and flee  
at *Newburn*.

This Loss and Affront went very near the Kings Heart, who begun to fear this years Success, as much as he had done the last.

After this the Lords of the *Covenant* wrote the following Letter to the Earl of *Lanerick* by one *Cathcart*.

Noble Lord,

AS we have ever professed and declared, as well by our Words as Actions, that the Grounds of our Desires are, and ever shall be the redress of Wrongs and reparations of our Losses, and that we will never leave off in all humility to Supplicate His Majesty for the same, so this hath moved us now, being come this length, yet again humbly to Petition His Majesty to take our Case to Consideration, and grant our Desires. We are debarred from sending or carrying our Supplications in the ordinary way, which makes us have our Address to your Lordship, Intreating your Lordship in our Names to present this our Petition herein inclosed to His Majesty, and in all humility to beg an Answer thereunto, to be sent with the Bearer to us, who shall ever endeavour to approve our selves His Majesties Loyal Subjects, and most unwilling to shed any Christian Blood, far less the *English*; whereof we have given very good proof by our bygone Carriage to every one who hath with Violence opposed us, yea, even to those who entred in Blood with us, and were taken Prisoners, whom we have let go with Meat and Money, notwithstanding that all those of ours, who did but deboard from their Quarters, are miserably massacred by these whom we can term no otherwise than Cut-throats. Our behaviour to these in *New-Castle* can witness our Intention, which is to live at peace with all, and rather to suffer then to offend. We bought all with our money, and they have extorted us to the triple value: the Panick fear made most of them leave the Town, and stop their own Trade; but we have studied, to solve their doubts. As all our Actions shall ever tend to that which is Just and Right;



*Right, so we could wish, they were interpreted to a true sense; and whatever An. 1640.  
maybe the event of business, we hope the blame shall not lie upon*

Leager beside New-Castle,  
2d. September, 1640.

Your Lordships affectionate  
Friends to serve you.

*Signed,*

Roths,	Napier,	D. Hoom,
Cassilis,	Tho. Hope,	Keir,
Dumferline,	W. Richarton,	Ja. Sword,
Lindsay,	J. Swith,	J. Rutherford.
Lowdon,	P. Hepburn,	

#### POSTSCRIPT.

*We intreat Your Lordship to let the Bearer have a Pass for his safe Return to us.*

The Petition inclosed was presented by him to His Majesty, which follows.

To the Kings Most Excellent MAJESTY, The  
Humble Petition of the Commissioners of the late  
Parliament, and others of His Majesties Loyal  
Subjects of the Kingdom of Scotland.

*They Petition  
the King.*

Humbly Sheweth,

**T**hat Whereas after our many Sufferings the time past, extreme necessity hath constrained us for our Relief, and obtaining our Humble and just Desires, to come into England, where according to our Intentions formerly declared, we have in all our Journey lived upon our own Means and Victuals, and Goods brought a long with us, and neither troubling the Peace of the Kingdom, nor harming any of Your Majesties Subjects of whatsoever quality in their Persons or Goods, but have carried our selves in a most peaceable manner, till we were pressed by strength of Arms, to put such Forces out of the way, as did without our deserving, and (as some of them have at the point of death confessed) against their own Consciences, opposed our peaceable passage at Newburn on Tine, and have brought their Blood upon their own Heads, against our purposes and desires expressed in our Letters, sent unto them at New-Castle, for preventing the like, or greater Inconveniences. And that we may without further opposition come into Your Majesties Presence, for obtaining from Your Majesties Justice and Goodness satisfaction to our just Demands, we Your Majesties most Humble and Loyal Subjects, do still insist in that submissive way of Petitioning, which we have kept since the beginning, and from which no provocation of Your Majesties Enemies and ours, no adversity that we have before sustained, nor prosperous success can befall us, shall be able to divert our minds.

Most humbly intreating, That Your Majesty would in the depth of Your Royal Wisdom, consider at last our pressing Grievances, provide for the Repairing

An. 1640. pairing of our wrongs and losses, and with the advice and consent of the Estates of the Kingdom of England convened in Parliament, settle a firm and durable Peace, against all Invasion by Sea or Land, that we may with chearfulness of heart pay unto Your Majesty, as our Native King, all Duty and Obedience that can be expected from Loyal Subjects, and that (against the many and great Evils, which at this time threaten both Kingdoms, whereat all Your Majesties good and loving Subjects tremble to think, and which we beseech God Almighty in mercy timeously to avert) Your Majesties Throne may be established in the midst of us, in Religion and Righteousness; and Your Majesties Gracious Answer we humbly desire, and earnestly wait for.

The King having considered their Petition, commanded my Lord Lanerick to write the following Answer, Dated at His Majesties Court at York the 5<sup>th</sup> of September, 1640.

His Majesties  
Answer.

**H**IS Majesty hath seen and considered this Petition, and is Graciously pleased to return this Answer by me, that he finds it in such general terms, that till you express the Particulars of your Desires, His Majesty can give no direct Answer; therefore His Majesty requires, that you set down the Particulars of your Demands with expedition, he having been always willing to hear and redress the Grievances of His People: and for the more mature Deliberation of these great Affairs, His Majesty hath already given out Summons for the Meeting of the Peers of the Kingdom in the City of York upon the 24<sup>th</sup> of this Month, that so with the advice of the Peers you may receive such Answer to your Petition, as shall most tend to His Honour, and the Peace and Wellfare of His Dominions. And in the mean time (if Peace be that you desire, as you pretend) He expects, and by these His Majesty commands, that you advance no further with your Army to these parts; which is the only means that is left for the present to preserve Peace betwixt the two Nations, and to bring these unhappy Differences to a Reconciliation, which none is more desirous of than His most Sacred Majesty.

Signed,  
LANERICK.

With which he wrote this Cover.

My Lords,

**A**ccording to your Desires, I presented unto His Majesty in your names the Petition you sent me; whereupon His Majesty hath been Graciously pleased to command me to make this reference, which you shall receive herein inclosed, joined unto the Petition.

My Lords, by this you may see His Majesty is, as he ever was, willing to hear and redress the Grievances of His Subjects; and I pray God, you may take those Courses that may not too much incroach on the Goodness of so Gracious a Sovereign. This shall be the earnest Prayer of

York 5<sup>th</sup> Sept.  
1640.

Your Lordships Servant,  
LANERICK.

To this they returned the Answer that follows, which was sent by Sir James Mercer.

Right

Right Honourable,

An. 1639.

**A** nothing in Earth is more desired of us than His Majesties favour, so doth nothing delight us more than that His Majesty beginneth again to hearken to our Humble Desires, wherein we trust nothing shall be found but what may serve for His Majesties Honour, and for the Peace of His Dominions. The Particulars we would have expressed, but that they are contained in the Conclusions of the late Parliament, and our Printed Declarations, which were sent to your Lordship; but in case the Papers be not by your Lordship, we now summarily repeat them.

The Covenanters make a second Address.

That His Majesty would be Graciously pleased to command, that the last Acts of Parliament may be published in his Highness's Name, as our Sovereign Lord, with the Estates of Parliament convened by His Majesties Authority; Next, That the Castle of Edinburgh and other strengths of the Kingdom of Scotland, may according to the first foundation, be furnished and used for our Defence and Security; Thirdly, That our Countrymen in his Majesties Dominions of England and Ireland may be free from Censure for subscribing the Covenant, and be no more pressed with Oaths and Subscriptions unwarranted by our Laws, and contrary to their National Oath and Covenant approved by His Majesty; Fourthly, That the Common Incendiaries, who have been the Authors of this Combustion in His Majesties Dominions, may receive their Just Censure; Fifthly, That our Ships and our Goods, with all the Damage thereof, may be restored; Sixthly, That the Wrongs, Losses, and Charges, which at this time we have sustained, may be repayed; Seventhly, That the Declarations made against us as Traytors may be recalled; and in end, by advice and consent of the Estates of England convened in Parliament, His Majesty may be pleased to remove the Garrisons from the Borders, and any Impediment that may stop free Trade, and with their advice may condescend to all Particulars, which may establish a stable and well-grounded Peace, for enjoying of our Religion and Liberties, against all fears of molestation and undoing from year to year, as our Adversaries shall take the advantage. This Royal testimony of His Majesties Justice and Goodness, we would esteem to be doubled upon us, were it speedily bestowed, and therefore must crave leave to regrave, that His Majesties Pleasure concerning the Meeting of the Peers the 24<sup>th</sup> of this Instant, will make the time long ere the Parliament be convened, which is conceived to be the only mean of settling both Nations in a firm Peace, and which we desire may be seriously represented to His Majesties Royal thoughts; the more this time is abridged, the more able will we be to obey His Majesties Prohibition of not advancing with our Arms, Our Actions, and whole comportment since the beginning of these Commotions, and especially of late since our coming into England, are Real Declarations of our love, and desire of Peace: nothing but invincible necessity hath brought us from our Country to this Place, no other thing shall draw us beyond the limits appointed by His Majesty; which we trust His Majesty will consider of, and wherein we hope your Lordship will labour to be a profitable Instrument, for the Kings Honour, the Good of your Country, and of

Scots-Leager at New-Castle,  
Sept. 8<sup>th</sup> 1640.

Your Lordships humble Servants,  
and affectionate Friends,

A. Lesly,  
Roths,  
Caffils,  
Montrose

Dumfermline,  
Lindsay,  
Lowdon,  
Napier,

Tho. Hope,  
W. Rickartoun,  
J. Smith,  
P. Hepburn,

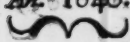
D. Home,  
Keir,  
Ja. Sword.

A a

On



Apr. 1640.



The King ap-  
points a Treas-  
ury.

1640.

On the 24<sup>th</sup> of September, the Peers of England having met, the King by their Advice commanded his Secretary to write the following Letter.

My Lords,

According to His Majesties appointment, the most part of the Peers of this Kingdom of England met here at York this day, where His Majesty did communicate unto them your Desires and Petitions; and because you do so earnestly press for a speedy Answer, His Majesty, with Advice of the Peers, hath nominated such a number of them for a Conference with you upon Tuesday at Northallerston, whose Names are underwritten. But withall if you shall think the time too short, and that with conveniency you cannot come so soon thither, if betwixt this and Sunday you do acquaint His Majesty therewith, he will take Order for the delay thereof, for one day or two.

And that you may without all fear or danger of Detention, send such Persons unto the said Conference as you shall think most fit, if betwixt this and Sunday you send hitther the Names of these you mean to imploy, His Majesty will with all possible diligence return a safe conduct under his own Royal Hand, for them and their necessary Servants.

His Majesty hath likewise commanded me to let you know, that upon your relieving of such Officers, and others of His Subjects, as are detained by you, he will return all such of yours as are his Prisoners, either here or at Berwick; and hereafter resolves, that fair Quarters should be kept betwixt both Armies. Thus having imparted His Majesties Pleasure, I continue

York, 24<sup>th</sup> of September,  
1640.

Your Lordships Servant,  
LANERICK.

And now the King was in a great strait what to resolve on. Most of all the Peers advised a Settlement with Scotland, and a Parliament in England: Strafford's Advice was more severe, and the Marquis pressed a Pacification. But though their Opinions varied, yet their Friendship continued, since both had the same designs for the Kings Honour and Service. A recruit of Money (which was beginning to run low) was not to be hoped without a Parliament, and their late experience told, on how uneasie terms that was to be had. Earl London also assured the Marquis by his Letters, that the Covenanters were well armed, well commanded, and very resolute, nor did they doubt of a strong Party in England; and therefore shewed, how dangerous it would prove to His Majesties Affairs, if a Treaty should not presently follow. The Marquis, little regarding how ill these Counsels would be represented by others, used all his Industry to prevail with the King for a Pacification on any terms; since none could be so bad, as the hazard the King was like to run, if matters continued so broken: for it was now apparent, how faintly His Majesties Forces did serve him, and with how much resolution the Scottish Armies proceeded; neither were they without fears in their own Army, and that many of the Peers, and People of England, would have assisted the Scots, if matters had run to extremities.

But at that time a passage fell out, which drew after it a tract of great Troubles on the Marquis. The Earl of Montrose had in July that year, procured a Meeting of some Noblemen at Cumbermald, the Earl of Wigtou

A Breach be-  
twixt the Mar-  
quis and the  
Earl of Mon-  
trose.

*Wigtons* house, where there was a Bond signed by them of adherence to one another in pursuance of the Covenant; and from *New-Castle* he continued to keep Correspondence with His Majesty, notwithstanding an Act that had passed in the Committee, that none should under pain of Death write any Letters to the Court, but such as were seen and allowed of by at least three of the Committee. But this Correspondence of my Lord *Montrose* came to the knowledge of the Covenanters, and there were ill Instruments who suggested, that this Advertisement must have been given by the Marquis, which being too easily believed, occasioned a Breach betwixt them that could never be made up. And *Sanderson* hath had the Impudence not only to fasten this on him, but as if there had not been Imputation enough in it, he adds that the Marquis had in the night picked His Majesties Pockets for his Letters. Indeed he needed not take such Courses, had he been capable of that Treachery; for the Kings Confidence in him was such, that he delivered all the Letters he had from *Scotland* to his keeping, and if he had designed such a thing upon *Montrose* it was in his Power to have done it long before: for in *October* and *December* of the former year, *Montrose* had writ much in the same strain to the King; which Letters the King gave him, and are yet extant, but were never heard off, till now that the Writer gives this account of them. But the way how that Letter was discovered was this: the Covenanters sent Sir *James Mercer* to *York*, with their Letters to my Lord *Lanerick* of *September* the 14<sup>th</sup>. with whom my Lord *Montrose* sent his Servant with Letters to some of his Friends at Court; and these Letters had been shown to the Committee: but as he sealed them up, he put within one to Sir *Richard Graham* a Letter to the King, which had not been seen; and Sir *Richard* opening his Letter carelessly, the inclosed to the King dropt out: whereupon Sir *James Mercer* being near him stooped down in civility to take up the Letter, and read the Direction of it; and he returning next day to the *Scotish* Camp, told what he had seen to the General, who (in a Committee, that sate that afternoon wherein it was my Lord *Montrose's* turn to preside) said, that the Gentleman they had sent must be examined concerning any Letters he carried to the Court; and so he was called in, and examined. But *Montrose* understanding that his Correspondence with the King was discovered, said, that seeing others kept a Correspondence with the Court, he knew not why he might not do it as well as they: it was answered, if others were guilty that did not excuse his fault, but when that could be made out against any, they were liable to the same Censure he had now incurred; whereupon he was commanded to keep his Chamber, and he called a great many of his Friends to him, to try who would adhere to him: whereupon the General bade the Earl of *Calender*, who was then Lieutenant-General, tell him, that if he came not, and submitted himself, he would hold a Council of War upon him, and proceed against him Capitally. Upon this my Lord *Montrose* came, and produced a Copy of the Letter, he said he had written, and craved pardon, and so this Matter was passed over: but it was suspected, that his Letter had been sent to the Covenanters by the Marquis; whereas indeed they knew no more of his Letter, but what they had from Sir *James Mercer*, who read the Address of it, and so they knew not what was in it, but by the Copy he produced. Yet this went current for the Marquis his Treachery, though Sir *James Mercer* did often vouch the truth of this before many Witnesses, and par-

*Am.* 1640. particularly to *Sanderfon* himself before Noble Witnesses, who acknowledged his Mis-information, and promised to expunge that in the next Edition of his Book; though there are no grounds to fear, the Would will ever be troubled with another Edition of so ill a Book.

The Treaty  
at *Rippon*.

In the end of *September* a Treaty was agreed upon, and His Majesty named the Marquis and my Lords of *Traquair* and *Lanerick*, to be amongst the Commissioners, who should Treat in His name. But the Covenanters excepted against the Marquis and *Traquair*, whom they intended to pursue as Incendiaries, and therefore they could not Treat with them; as for *Lanerick* they had nothing to fasten on him. Upon this the King resolved to send none but *English* Lords, conceiving it not fitting to send any *Scotchman*, if the persons he had imployed as Commissioners were not of the number.

*Rippon* a little Town fifteen miles from *York*, was appointed to be the place of Treaty instead of *Northallertown*, and the King sent the *English* Lords thither, appointing *Traquair* and *Lanerick* to wait upon them, for giving them Information of *Scotish* Affairs; but he kept the Marquis to wait upon Himself. The Treaty begun at *Rippon*, and after a few days, by reason of the new Parliament the King had summoned against the beginning of *November*, was removed to *London*. The Covenanters Demands were the same with those contained in their Letter of the 8<sup>th</sup> of *September*, about which they continued Treating till the *June* of the next year; and so this year ended.

But here I shall insert a Paper, all written with His Majesties hand, which though it do not relate to *Scotish* business, yet I judged it a crime to let any of the Reliques of that Princes Pen perish. How it came into the Marquis his hand, I know not; it is an Answer to a Remonstrance, sent to the King by the Two Houses at *Westminster*, in the end of this year.

**I** Having taken to my serious Consideration the late Remonstrance made to me by Both Houses of Parliament do make this Answer.

I take in good part your care for the Preservation of the true Religion, established in this Kingdom, from which I will never depart; as also for your tenderness of my own Safety, and security of this State and Government.

It is against my mind that Popery or Superstition should any way increase within this Kingdom, and I will restrain the same by causing the Laws be put in due execution. I resolve likewise to provide against the dangers of Jesuites and Priests, setting forth a Proclamation with all speed, commanding them to depart the Kingdom within one month, whereof if they fail or shall return, then they shall be proceeded withall according to the Laws.

Concerning Rosettie you must understand, that my Wife hath always assured me, that (to her knowledge) he hath no Commission, but only to entertain a personal Correspondence betwixt Her and the Pope, of things requisite for the exercise of Her Religion, which is warranted



warranted to Her by the Articles of Our Marriage, which give Her *An. 1640.*  
a full Liberty of Conscience; yet I have so perswaded Her, that  
(since the misunderstanding of this person's Condition gives offence)  
She will within a convenient time remove him. Moreover, I will  
take special care to restrain my Subjects from resorting to Mass at  
Denmark-house, St. James's, and the Chappels of Ambassadors.

Lastly, concerning John Goodman the Priest, you must know  
the reason why I reprieved him, is, that (as I am informed) nei-  
ther Queen Elizabeth, nor my Father, did ever avow that any  
Priests in their times were executed meerly for Religion, which to  
me seems to be this particular case; yet seeing that I am pressed  
by Both Houses, to give way to his Execution, (because I will avoid  
the inconvenience of giving so great a discontentment to my People,  
as I perceive this Mercy may produce) I remit this particular Cause  
to Both Houses: but I desire you to take into your serious Consid-  
erations the inconveniences, which (as I conceive) may upon this  
occasion fall upon my Subjects, and other Protestants abroad, espe-  
cially since it may seem to other States to be a Severity with surprize;  
which I having thus represented to you, think my Self discharged,  
from all ill consequences that may ensue upon the Execution of this  
person.

Anno 1641.

**T**He Marquis (notwithstanding all the malice he knew some of his  
Country-men bore him) did not slacken his endeavours to bring  
things to a final Settlement; and the high language which was now spo-  
ken at *Westminster*, furnished him with too strong Reasons, for enfor-  
cing the necessity of agreeing with the Covenanters. At length the  
King weary of contending so much, resolved to yield to most of their  
Demands. *An. 1641.*

The King  
yields to all  
the Demands  
of the Cove-  
nanters.

For the first of publishing their Acts, though it was contrary to the  
practice of *Scotland*, to hold a Session of Parliament, unless the King  
were present by himself or his Commissioner: yet it was represented,  
that was but a point of Form; for as they Sate by the Kings Summons,  
so they did not pretend their Votes were Laws without the Kings Ra-  
tification; and their Sitting in this manner (though disorderly) could  
not be so derogatory to the Kings Authority, as at first view appear-  
ed; since it was the constant practice of the Two Houses in *England*, to  
Sit and Vote in the Kings absence. The King was willing all these Acts  
should be of new voted, promising his Royal Assent to them; but they  
were stiff, and the King yielded. For the Reparation of Losses, the  
King remitted them to the Two Houses, who considered their Ac-  
compts, and gave them a large Brotherly Assistance.

For the disposal of the Castles, the election of the Councillours,  
Officers

*An. 1641.* Officers of State and Judges, which the Covenanters desired should be done with Advice of Parliament, they went very harshly down with the King. But they alledged divers old Laws for their Demands, which seemed now necessary to be revived, since His Majesty was so seldom in *Scotland*. The Kings great apprehension of this was, that it would give a Copy to *England*, for making the like Demands: to which it was answered, that the Kings residence in *England* made the case to differ vastly; the *Scotish* Lords engaging upon their Honour, to declare (in case the Two Houses should make the like Demands) they were unreasonable in so doing.

In a Word the King granted all they demanded, only he thought it unjust, and unreasonable to grant an Indemnity to the other Party, and let his Friends be secluded from it; wherefore he pressed nothing so earnestly, as that the Oblivion might be without exception: and the List of those who were summoned upon the pretence of being Incendiaries, was so great, that he thought to abandon so many of his Faithful Servants to the violence of the Times was so dishonourable, that he could not answer for it, neither to God nor man. The Covenanters, to yield somewhat, reduced their great number to five persons, who were the Earl of *Traquair*, the Bishop of *Ross*, Sir *Robert Spotswood*, Sir *John Hay*, and Doctor *Balcanquell*: but the King thought he could not yield to that Demand, were there but one excepted; and told them, that though he had better Grounds to pursue some of themselves as Incendiaries, yet being willing to dispense with these his Resentments, he had reason to expect the same Condescendency from them. But they pretended their Bond and Oath for prosecuting of them; and though it was told them, that an ill Oath was worse kept, yet they were stiff; and the temper found, was, that their Processes should go on, but their Censure should be remitted to the King, and that the *Scots* should be satisfied with his Assurance, that he should imploy them no more in *Scotish* Affairs without consent of Parliament.

And thus all things were agreed on, and His Majesty determined to go in Person to *Scotland*, to settle matters there; but at this time the *Scotish* Commissioners began to Cabal with the Male-contents in the Two Houses, and in particular concurred with them in the pursuit of the Earl of *Strafford*. The Friendship betwixt the Marquis and that Gallant man, had been great and intire: and as his Testimony in those matters about which he was examined was among the Evidences *Strafford* had in his Defences; so his Confidence in the Marquis did appear by the following handsome Letter he wrote to him a few days before his Death.

May it please your Lordship,

**H**itherto I judged it not fit to endanger your Lordship by any Intelligence betwixt us, which might have turned much to your prejudice, in a time when the World is in so much mis-understanding of me; but now be your Lordship pleased, to admit me to resort to your noble Expressions and former Friendship, that I may carry forth of the Court with me the belief and tokens of it.

It is told me, that the Lords are inclinable to preserve my Life and Family, for which their generous Compassions, the great God of Mercy will reward them: and surely should I die upon this Evidence, I had much rather be the Sufferer than the Judge.

*All*



*All that I shall desire from your Lordship is, that deposed of all Publique An. 1641.  
Employment, I may be admitted to go home to my own private Fortune, there to  
attend my own Domestick Affairs, and Education of my Children, with as little  
asperity of words or marks of Infamy, as possibly the Nobleness and Justice of my  
Friends can procure for me, with a Liberty to follow my own occasions, as I  
shall find best for my self.*

*This is now unreasonable thing I trust to desire, all considered that may be said  
in my case, (for I vow my fault that should justly draw any heavy Sentence on  
me, I yet do not see :) yet this much obtained will abundantly satisfy a Mind  
hasting fast to quiet, and a Body broken with afflictions and infirmities. And  
as I shall take my self highly bound to any that shall further me therein, so I more  
particularly desire to receive an obligation therein from your Lordship than  
from others, as being purposed in the truth of my former Professions, to express  
my self*

Tower, 24<sup>th</sup> of April,  
1641.

Your Lordships humbly  
to be Commanded,

STRAFFORD.

But since all His Majesties most vigorous Intercessions were not able to preserve that Great man, it is not to be imagined, any good Offices done by meaner persons could succeed; yet the Marquis acted in it with Great Candor and Friendship: but that preserved him not from being suspected, of having advised the King to consent to *Strafford's* Death; and for his Vindication, I shall only refer the Reader to his own words, in the Speech he delivered the morning before he died, to be inserted in its proper place.

The *Scottish* Bishops who were now at *London*, thought themselves undone, and complained of the Marquis as the cause of their Ruine; and yet he had been careful, to get them all either provided with Places, or relieved with the Kings Money, so that all of them in their Letters to him acknowledged him to be their only Patron, about the King. *Traquair* was worst pleased of any, and complained that the Marquis had opposed the Article of Incendiaries till his own Name was dashed out, and then had deserted the rest; but his Name was not struck out alone, *Huntley's*, and many others being dashed out with him: besides, the prejudice of that Process, was only to be put out of Employment in *Scotland*, by which the King was engaged in Honour to make up that loss another way, wherein the Marquis engaged to serve him faithfully. Others of the Court who hated and envied him, were glad to find colours of Censure in any of his Actions, and it was loudly talked, that the King was now to part with his Crown of *Scotland* with his own hands, by granting Concessions so derogatory from Kingly Authority: but the King, who understood his own Affairs better than any of these Censurers, saw the necessity of settling with *Scotland* immediately. For the Marquis represented to His Majesty, that though those Acts did very much diminish his Authority; yet the *Scottish* Parliament, being governed but by a few Heads, who influenced the rest, there was no doubt but the gaining of the Leading-men, might so prepare things, that ere a few years went about all might be brought to a greater Temper: for the King was firmly resolved to make good what he now promised, and never to violate these Concessions, unless he could get them rescinded in Parliament.

Many com-  
plain of the  
Marquis.

And



Av. 1641.

The Earl of  
Roths is gain-  
ed, and soon  
after dies.

The Parlia-  
ment of Scot-  
land is oft pro-  
rogued, but  
goes on with  
the Process  
against Incen-  
daries.

The Earl of  
Montrose is  
made Prisoner  
for correspon-  
ding with the  
Court.

The King  
comes to  
Scotland.

And let me once for all say freely, this was the great Measure of all the Marquis his Counsels about *Scotland*, that (except when he saw at the beginning, as hath been said, that the Kings Interest and Honour required, his utmost Resentments, and that a forcible Redress seemed not improbable, and promised success) way should be given to the present heats for some time, in hope of recovering of them by such Concessions: and in pursuance of this design *Roths* was much caressed by the King, and intirely gained; but as he was recovering to his Duty, he was overtaken by sickness, of which he died at *Richmond*, and was much regrated both by those of the Court, and the Covenant, being a man of great Abilities and much Honour.

In *June* the Earl of *Dumfermline* and *Lowdon* were sent from *London* to *Scotland* with the Articles of the Treaty, and a desire that the Parliament there might yet be prorogued for some time, since the Affairs of *England* put a stop to the Kings present Journey. They also carried down a Submission from *Traquair*, and were to deal, that the Acceptance of it might stop the further agitation of the Pursuit against him.

All this while there had been divers Meetings of Parliament in *Scotland*; but by reason of the dependence of the Treaty, they were still prorogued. Their greatest business was to prepare the Process against the Incendiaries, both the President *Spotswood*, and the Clerk of Register *Hay*, being Prisoners in the Castle of *Edinburgh*, since the former Winter. The Covenanters required the Kings Advocate to concur with them, according to his Place, which obliged him to assist in the Pursuit of all Publick Crimes; but *Lamerick* in the Kings Name commanded him to deny his concurrence, and this made much ado; as also in all the Kings Orders for proroguing the Parliament, mention was made of my Lord *Traquair* as Commissioner, against which they always protested. But at this time the Parliament would not consent to Prorogue of new, only they declared they should be preparing matters, and not go on to the Determining any thing before the middle of *August*, against which time the King purposed to be in *Scotland*. As for *Traquair's* Submission, it was rejected, and many begun to complain aloud, that whereas they signed a Bond to prosecute the Incendiaries, yet many were dispensed with; and much pains was taken by distinctions to satisfy their Consciences, that they meant not to set up an Inquisition by that Oath, and that it was only meant of those that were declared and avowed Incendiaries: but others said that the words were general, and tied them without respect of persons to pursue all equally.

At this time there was a Gentleman seized at *Broxmouth* with Letters to my Lord *Montrose*, which discovered a new Correspondence of his with the Court, for my Lord *Traquair's* Preservation: and with this the story of the Bond signed the former year at *Cumberwald* broke out; upon which he, and some of his Friends, were committed close Prisoners to the Castle of *Edinburgh*, and were called *Plotters*.

On the 12<sup>th</sup> of *August* the King came to *Scotland*, accompanied by the Prince *Elect*or who came along with him, to see what Assistance he might expect from the *Scotish* Parliament. The King, to please the *Scotish* Clergy the more, appointed Mr. *Henderjon* to wait upon him while he should be in *Scotland*, and to provide Preachers for him, being resolved to conform himself to the *Scotish* Worship while he was among them.

The

The Parliament at first Voted that all the Members should subscribe *An. 1641.* the Covenant, which was done by all; only the Duke of *Lenox* took a few Days to advise, after which he came and subscribed with the rest. Most differences had been settled at *London*, but the matter of the *Incendiaries* and *Plotters* was that at which things stuck long, and occasioned the Kings stay in *Scotland*. Many censured the Marquis, as not concerning himself so much for those persons as became him; and because he in prosecution of the Design the King had laid down, took much Pains on the Earl of *Argyle*, it was said, he was courting the Kings Enemies and neglecting his Friends. But he judged the great Design of Settling the King with the Country, was to be preferred to all private Interests; and his brother following his Method, shared with him in the same Jealousies, though not to so high a degree. But His Majesty knew the Marquis too well to be easily moved with these Whispers; therefore in one of his Speeches in Parliament He declared, *That the Marquis had carried himself as a faithful Subject and Servant in all his Employments, during these Troubles, and as one that designed the Good and Happiness of his Country: upon which the King gave his Assent to the following Act of Parliament.*

All the Members of Parliament subscribe the Covenant.

**I**n the Parliament holden at *Edinburgh*, in this Session thereof holden the last day of September, the year of 1641 years, this Act following was made by the King and Estates, whereof the Tenour follows.

The Marquis is vindicated by the Parliament:

Whereas there have been certain scandalous words spoken of the Marquis of *Hamilton*, tending to the prejudice of his Honour and Fidelity to His Majesty and his Country, which are now acknowledged by *Henry Lord Ker*, Speaker thereof, in presence of His Majesty and Estates of Parliament, to have been rash and groundless, for the speaking whereof he is heartily sorry; and since His Majesty and the Estates of Parliament know it to be so. Therefore His Majesty, and Estates foresaid, declare the said Marquis of *Hamilton* to be free thereof, and esteem him to be a Loyal Subject to His Majesty, and faithful Patriot to his Country: and the said Estates remit the further Censure of the said Lord *Ker* to the Kings Majesty. Extracted out of the Records of Parliament by me *Sir Alexander Gibbone* younger of *Dury*, Knight, Clerk to his Highness's Register and Rolls, under my Sign and Subscription manual.

Alex. Gibbone Cl. Reg.

The Marquis had often heard that his Enemies had Designs upon him, and he represented what he heard to the King, but acknowledged he had it only by Whispers; and thus matters went on till the 11<sup>th</sup> of *October*. Yet all this while the Marquis was insensibly losing ground with the King; for the perpetual Whispers of his Enemies could not choose but make some impression, being specious, though forged grounds of Jealousie, cunningly contrived, and managed with great assiduity, art, and malice.

yet he loseth ground with the King.

*Lanerick* also found the Kings Countenance beginning to change towards him, whereupon he assumed the freedom to ask His Majesty, if he judged that he had been capable so far to forget his particular Favours to himself, (who from nothing had heaped both Fortune and Honours on him) as to do any thing might merit the change he saw in

B b

him;



*An. 1641.* him: the King answered, He believed he was an honest man, that he had never heard any thing to the contrary, but that his Brother had been very active in his own Preservation. This made *Lanerick* look the more narrowly to his Brothers Actions, to see if he could discover, whether in any thing he had studied to preserve himself, by prejudicing the King; but in a long Account of that business, which I have under his hand, he protested that the nearer he looked he discovered in him the greater Fidelity and Affection to his Master. It is true, the King met with great Opposition in *Scotland* in the matter of the *Incendiaries* and *Plotters*, and it was represented that the Marquis and his Brother might have made it less, which perhaps left some Impressions on His Majesty; but having it so often under both their hands, That might their Souls perish, if they left any thing undone that was in their power, to get a Compliance to the Kings Desires from the Parliament, I must believe this Opposition flowed from the Distempers of that Time.

But about the middle of *October*, an odd passage fell in, which for its not being expected, was called the *Incident*. A Gentleman, not known to the Marquis, brought him and the Earl of *Argyle* the Discovery of a Plot, he said, was laid for their Lives, and the Earl *Lanerick's*; which he said he could justify by one Witness, who was invited to the execution of it. He told also a long formal Story of the persons were to be Actors, of Time, Place, and Manner, and said it was to be executed that very night. This the Marquis carried to the King without naming Particulars, which could not be done safely by the Law of *Scotland*, since he had but one Witness to prove them by. The King desired him to examine the thing to the bottom, and bring him what further Evidence he could find. In the Evening other Presumptions were brought to the Marquis, but no clear Evidence, and the matter was got abroad, and in every bodies mouth; so that all who depended on these Lords came about them in great numbers: and those on whom the Design was fastened, gave out it was a Forgery to make them odious, and gathered also together. The Marquis hearing this, did not stir out of doors, lest some of their too officious followers had raised Tumults; and next day in the Evening, he with the Earl of *Argyle* and his Brother, and half a dozen Servants, went out of Town to his House of *Keneel*, twelve miles from *Edinburgh*, and sent his excuse to His Majesty, with the true account of the Reasons that moved him to do what he had done. Upon this many Discourses went about, People of all sides passing construction as they were affected; but the Parliament took the whole matter into Consideration. Those who had given the Information, owned what they had said, and those on whom the Plot was fixed, did as positively deny all: so that no clear Proof being brought, the Parliament could come to no other Decision, but that the Lords had good reason to withdraw themselves; and so they were invited to return to their place in Parliament. This was a tedious business, and put a great stop to the Settlement betwixt the King and the Nation; but further Particularities are thought needless to be set down, since this Matter vanished no effect following on it.

But he is again  
in His Majesty's  
favour.

The Marquis quickly recovered his former room in the Kings Affection, so that there remained not so much as a vestige of this cross Adventure. Things in *Scotland* took presently a Settlement, and those who



were called *Plotters* and *Banders* (after examination, and a delivering up of their Bond, which was burnt by the hand of the Common Hangman) were set at Liberty, after some time of further Restraint : but the Process of the alledged Incendiaries was to go on, yet they were to enjoy their Liberty, and undergo no other Censure but the loss of Publick Employment ; which though yielded at *London*, was long resisted in *Scotland*, they pretending their Oath to bring them to condign Punishment.

But as the King was going on with the Settlement of one Kingdom, he got the saddest News that ever were heard out of *Ireland*, of the desperate Rebellion and Massacre had broken out there ; whereupon His Majesty recommended to the Parliament of *Scotland*, the Relief of his oppressed Protestant Subjects in *Ireland*, which they undertook very willingly. But because of the interest *England* had in *Ireland*, Commissioners were appointed to Treat with the Parliament of *England*, for Concluding a Peace betwixt the two Nations, and Settling of Trade, and particularly about the Terms upon which they should engage in the War of *Ireland* : and so about the middle of *November*, the King, having granted to the *Scotish* Nation all they could demand, ended the Parliament there, and returned to *London* about the end of that month. But before the Marquis left *Scotland*, he by the Kings particular Command, entred in a close Friendship with *Argyle*, considering that, besides the great Power of that Family, his Interest with the Clergy and Covenanters was such, that none could be so useful to His Majesties Service as he. And this Friendship was to be twisted closer by a Bond of a near Alliance betwixt their Children. But from all the Letters that passed betwixt them, (yet to be seen) it is as clear as can be, that all the Marquis his design in this Friendship was for the Kings Service, and that all that time *Argyle* expressed a hearty concurrence in it. To gratify the Covenanters the more, the King had created him a Marquis : *Lowdon* was also made Chancellor, *Lesley* Earl of *Leven*, and *Lindsay* put in a fair way to be Treasurer, *Traquair* being turned out.

The King at his return to *London*, found the Edge he had left on some of their spirits was no way blunted, but growing into more sharpness. When the Marquis was in *Scotland*, a Member of the House of Commons, laying out their Grievances, among other things inveighed against Monopolies, and spoke so plainly, that all understood he meant the Marquis, as a Person that deserved to be accused, as well as either *Strafford* or *Canterbury* ; but others of that same Cabal took him up sharply. And now upon the Kings return, his Enemies finding their designs against him could not take with the King, in whose Favour he was as much as ever, they took a strange Course to destroy him ; which was to set on some Members of the House of Commons to accuse him, as the Incendiary betwixt *England* and *Scotland*, who had engaged *England* into all that Expence ; who had also invited the *Scots* to march into *England*, and had been always the third in *Strafford's* and *Canterburie's* Counsels ; who had advised the Dissolving of the former Parliament, and had oppressed the Subjects by the grants of many Monopolies which he had : This was smelled out even by some of the same Cabal, who perswaded their Friends to desist ; shewing them, That for his Carriage betwixt *England* and *Scotland*, an Oblivion was passed in the late Treaty, which was ratified by the Parliament of *England* ; That for other things, though his

An. 1641.

The Rebellion  
breaks out in  
Ireland.The King re-  
turns to *London*  
where he finds  
matters worse.

An. 1641. Engagement in the Court had carried him along to some extreme Counsels; yet they said, it was well enough known, how moderate his Inclinations were, how great an Instrument he had been in the late Settlement of *Scotland*, and how much he was hated upon that account; and that this was a design to destroy him, either out of malice, or because some feared his moderate Counsels in *England*, as much as they hated them in *Scotland*. This seems to have flowed from the Friendship which divers of the Leaders in the House of Peers had for him, whom he had often obliged; and as they were not unsensible, nor forgetful of his good Offices, so they seem to have had a particular kindness for his Person. And while he was in *Scotland*, he kept Correspondence with *Mandevil*, *Effex*, and others, and chiefly with the Lord *Say* and *Scale*; but all their Letters shew that his greatest business with them, was to prepare them to a better Correspondence with the King.

But when the Marquis smelt out the design against him, he gave the King an account of it; and told him, that if His Majesty intended to go on in his Affairs in a Kingly way, he would wait on his Commands, and expose himself to the displeasure of the House of Commons: but if His Majesty intended to settle Matters by an absolute Compliance with the Parliament, then he conceived it was fit, that his Servants should use their endeavours for their own Preservation, that so they might be afterwards useful to his Service: yet he said, he would do nothing for himself, but by His Majesties Allowance and Direction (being it is like taught more caution by the Jealousies had been taken from his care of vindicating himself in the Parliament of *Scotland*.) The King upon this allowed him to use all means for his own Preservation, which he so managed that the designed Accusation came to nothing. This particular His Sacred Majesty vouchsafed to tell the Writer, adding, that he had it from the Queen His Mother.

Anno 1642.

An. 1642. The Tumults and Disorders about *Whitehall* and *Westminster* rose to that height, that the King withdrew to *Windfor* in the beginning of the year. The *Scotch* Commissioners continued Treating about their engaging for *Ireland*, which the King pressed forward very earnestly: but some of the Commissioners begun to tamper with those who were most opposite to the Court in the Two Houses, and in stead of Moderating them, were instigating them to persist in their Demands about Religion, to get Episcopacy brought down, and Presbytery set up. To the first of these most assented, but few were cordial for the latter. In order to this on the 15<sup>th</sup> of *January*, the *Scotish* Commissioners seconded the Desires of the Two Houses with a Paper, which they presented to the King, on that Subject, and afterwards Printed it.

The *Scots* Commissioners animate the Houses to press the change of the Laws about Church-Government,

with which the King was highly displeased.

The King was highly displeased, that they were not satisfied with the Opposition they made him in *Scotland*, nor with the Concessions he had granted them there; but were now come to foment Troubles in *England*. It was not long since they made loud Complaints against the designed Uniformity with *England*, and the Interest the *Englishmen* had in managing the Affairs of the *Scotish* Kirk; and would they now act

act that part which they had condemned in others? They could not alledge that against Episcopacy in *England*, which they pretended in *Scotland*, that it had never been fully nor clearly settled in it, or that the stream both of Clergy, and Laity, had run cross to it: the contrary of all that, was clear in *England*, where Episcopacy was deeply rooted in their Law. And ever since the Reformation, for eighty years together, the Church of *England* had flourished under Episcopacy; so that it was the wonder and envy of the World, till of late that some *Brownists*, and other Sectaries, begun to disturb its quiet. They knew, he declared the Grounds on which he dispensed with Episcopacy in *Scotland*, were not from his own Judgement about it, but meerly to comply with their Aversion to it; but the case was very different in *England*. All this he said for giving them satisfaction, and it is the sum of what he repeated afterwards upon the like occasions. But in the end he told them, their Commission was not to mediate betwixt him and the Two Houses, and therefore on the 19<sup>th</sup> of *January*, he signed the following Order to *Lanercrick*.

CHARLES R.

WE have thought fit to require you to repair to the Commissioners from Our Parliament of *Scotland*, and let them know, that We expected before they should have interessed themselves, in any manner of way, betwixt Us and Our Parliament of *England*, they would (according to Our Desire expressed to them by Our Letter of the 13<sup>th</sup> of this Instant) have acquainted Us with their Resolutions in private, and that for the time coming We are very confident (out of the respect due to Us from them, and their earnest Desires to shun Mistakes and Disputes) they will no way engage themselves in these present Differences, without first they communicate their Intentions with Us in private, whereby all Jealousies and Suspensions may be removed, and they better enabled to do Us Service.

The King forbids their doing so any more,

Given at Our Honor of *Windfor*, the 19<sup>th</sup> of *January*, 1641.

Directed,

TO Our Right Trusty, and Right well-beloved Cousin and Councillor, the Earl of *Lanercrick*, Our Secretary for *Scotland*.

After this the King sent Mr. *Mungo Murray* to *Scotland*, with Complaints of the Commissioners, signified by the following Letter to the Chancellor:

Right Trusty and right well-beloved Cousin and Chancellor, We Greet you well.

AS it hath been alwaies Our care and Study to have a right Understand-  
ing betwixt Us and Our Subjects of *Scotland*; so nothing can joy Us more than to hear the effects thereof to be such, as that they in peace and quietness enjoy the benefit of Our Courts of Justice; and that under Our Government they reap the fruits of those sound and wholesome Laws, established in that Kingdom by Us, and Our Predecessors, for their good and happiness.

and complains of them in his Letters to *Scotland*.

We cannot but take kindly from you, your representing unto Us the Miseries and Afflictions, to which Our good Subjects of *Ireland* are reduced, through the



An. 1642. the inhumane and unheard-of Cruelties of the Rebels there. We on Our part have left nothing undone, which We thought could express how sensible We are of their Sufferings: but the present Distractions of this Kingdom do both delay the sending of those necessary Assistances and Supplies, which they ought to expect from hence, and prolong the Treaty with Our Commissioners of Scotland; so that if some extraordinary Course be not taken for their present Supply, it is not like their Miseries will end sooner than their Days. The Consideration whereof induceth Us to require you to move Our Council, that these Forces, that are already on foot in Scotland, may be presently sent over thither, and We will oblige Our Selves to see them readily and punctually paid by this Parliament; which if they shall refuse to do, We will engage Our own Revenues, rather than delay so good and necessary a Work: to which purpose, We shall issue forth such Commissions, and give such Warrants under Our great Seal of England, as Our Council of Scotland shall think necessary for their Service, and grant all such their Desires for the advancement of this Work, as in reason can be demanded from Us; and therefore do require you, with all possible diligence, to return Us their Resolutions herein, which We are confident, will be such as will testifie their Respect to Us, and Affection to their distressed Brethren in Ireland.

And now We are confident, We shall not need to remember you of those Dutiful expressions of Respect and Fidelity you made to Us at Our late being in Scotland: for the same Affection which produced those expressions, will induce you to make them good by your Actions. We remember well, you expressed your readinesse to hazard both Life and Fortune, for the maintenance of Our Temporal Power; and even in matters Ecclesiastick, though you wished Uniformity therein betwixt the two Nations, yet you would not interest your Selves in these Differences, further than should be with Our knowledge and good liking. We wish Our Commissioners of Scotland had taken that Course, and not meddled, nor offered to mediate betwixt Us and this Parliament, before they had first made their Intentions known unto Us in private, according to Our express Desire; nor made their private Advice publicly known unto Both Houses, which is now in Print. We did conceive the Intention of the Commission granted them by Us in Parliament, was for finishing the remainder of the Treaty, for Settling of Trade and Commerce, and keeping a right Understanding betwixt the two Nations, not betwixt Us and Our Parliament here. It is true, they were to receive their particular Instructions from the Council, which We believe to have been limited to these Generals, which certainly never could have reached this Particular. But we shall pass by this, and remember it no more, so we may find Our Council hereafter give them no further Warrant, to meddle any more betwixt Us and this Parliament, but in so far as We shall first know and approve of it; which truly We conceive to be the only Means to shun those Suspensions and Jealousies that might breed any interruption of that happy Understanding that is now established, betwixt Us and that Our Native Kingdom. Herein We expect your best endeavors, as a real Testimony of your Affection to Our Service. We do likewise think fit, that a Double of all such Instructions, as have already been given, or shall hereafter be given, to the Commissioners, be sent Us, which will exceedingly conduce to the shunning of unnecessary Mistakings. And in case there come any Dispute betwixt Us and Our Parliament here, about the Nomination of Officers and Councillors, We hope you will remember, upon what Grounds We were induced to yield in this particular to the desires of Our Subjects in Scotland, it being Our necessary absence from that Our Native Country;

Country; and you in private did often promise, upon occasion, to declare that *An. 1641.* this Kingdom ought not to urge it, as a Precedent for the like to them, the Reasons not being the same: therefore now you are to think upon the most convenient way to make good that Promise, and labour to prevent so great an Inconvenience unto Us, which We expect from you as one of the most acceptable Services can be done unto Us.

POSTSCRIPT, With His Majesties own Hand.

*I have commanded this My Servant Mungo Murray to tell you some things, which I think not fit to write; therefore desiring you to trust what he will say to you from Me, I will now only add, that your Affections rightly expressed to Me (at this time) will do Me an unspeakable Service, to the effecting of which I expect much from your particular Affection and Dexterity.*

Windfor, 26<sup>th</sup> January.  
1642.

CHARLES R.

His Majesty also wrote to the same purpose to the Marquis of Argyle, and added the following Postscript with His own Hand.

*I Cannot but thank you for your Letter I received by Kinnoul, it being the performance of a Promise you made at my last being in Scotland; not doubting but you will perform the rest with the same cheerfulness. And I assure you, this is a time wherein the kytbing of your Affection to Me, will do Me an unexpressible Service, as Mungo Murray will tell you more at large, whom I desire you to trust in what he shall tell you from Me.*

Windfor, 26<sup>th</sup> January.  
1642.

CHARLES R.

His Majesty named the Officers of the Army that was to go over to the relief of the Protestants in Ireland, choosing them so, that they might be most acceptable to Scotland: and this he did both to gain the more upon them by his Confidence, as also to set those troublesom People out of the way; though this turned to the great prejudice of his Affairs in Scotland, as shall afterwards appear. But for this Advice, the Marquis deserved no share of the Blame; for the King left him behind at London, to see what could be effectuated by Mediation with those of the Peers, whom he knew to love him; and it appears by the following Note, that he continued in His Majesties Confidence.

Hamilton,

An. 1642.



Hamilton,

I Desire you to come hither to morrow, not only to end our last Discourse, but also upon other business of great Importance; and you shall find that I am

Windfor, 1<sup>st</sup> February,

1642.

Your constant Friend,

CHARLES R.

What that business was does not appear to the Writer.

The King leaves the Parliament, and the Marquis stays at London being sick.

When the King withdrew further from the Parliament, and went Northwards, the Marquis was kept at London by a great Sickness of some months continuance, the length of it being occasioned by his frequent relapses into Fevers, and a lingering Recovery out of them; yet his ill-willers at Court represented the story of his Sickness, to be but feigned, that under that pretext he might desert the King when he needed his Service most. But he hearing of this was resolved to be carried sick as he was to the King, which the King knowing, commanded him to stay till God gave him Strength to come, without prejudice to his Health.

The Treaty with Scotland for the relief of Ireland is ended.

In March the Treaty between the Parliament of England and Scotland was closed; and among other Articles one was cast in, *That an Uniformity of Religion should be endeavoured betwixt the Kingdoms.* But the King would do nothing that might seem to stop the Irish business, and therefore gave way to it, though he smelled the design of it abundantly well. Besides, the words being conceived in general Terms, he would not oppose them; since he judged an Uniformity of Religion was to be endeavoured, as well as they did, but with this odds, that he thought the Standard of it should be taken from England. As soon as this went home, the Scottish Armies went over speedily in the beginning of April: And the Scottish Council wrote to His Majesty, and the Two Houses, that they designed to send the Marquis of Argyle over to Ireland, but first to send him and the Earl of Lowdon to London, to mediate betwixt the King and the Houses; with which His Majesty was pleased. But the Houses excused it in a fair way, pretending, that they judged Argyle's presence necessary in Scotland. Many wondered whence this Jealousie of him did flow; some thought it was because the King consented to it, and therefore they misdoubted him; others apprehended that their Jealousie was founded on the Friendship that was betwixt the Marquis and him; and that finding the Marquis so inflexibly firm to the Kings Interest, and averse from theirs, they feared that Argyle's Friendships and his was founded on the same designs.

New Calumnies on the Marquis,

At this time some of the Marquis his Enemies represented to His Majesty, that he made Offers of the Militia to the Houses, with other things highly derogatory to His Majesties Authority; and that he pretended a Warrant for those Offers was sent him by Mr. Murray of the Bed-Chamber. These were the bad offices some fiery spirits studied to do, to all who endeavoured the quenching of that Flame which was like

to



to devour Britain; but notice being given of this to the Marquis, he *An. 1642.* wrote Mr. Murray this Answer.

Worthy Friend,

**I**T is no new thing for me to find my self traduced to His Majesty, but I should wonder very much. if he give Credit to a Report groundd upon such Improbabilities: for if His Majesty would be pleased to call to mind, how oft he repeated to me that He would never condescend to the Parliaments Demands concerning the Militia, no not for an Hour in the way it was, I am sure He will not think that I could engage myself to the Parliament, that He would perform that which He never gave me Ground to believe my self.

of which he  
clears himself

And as for His return to London, I likewise affirm He never gave me cause to hope, let be to engage my self to the Parliament for it. I have had the Honour to be intrusted in divers Employments from Him, and He knows I never exceeded His Instructions: I hope He will not now think me so mad, or so great a Knave, as to do that which might bring Him any Inconvenience: for why should I be an undertaker to the Parliament for either, having neither my Instructions, nor Directions from Him to mention to the Parliament, or any Member there. But these Reports proceed from such, who perhaps (if the matter were looked into) have said what probably they will not make good, and so endeavour to make other men bear the Burthen. I am not sorry they have joyned you with me in this, since it cannot prove your disadvantage, the thing being so eminently false.

I see my Enemies malice will have no end, and when they want other grounds, Sickness is enough for them to take advantage of; but if they had been in the Condition that I have been in these three weeks, they would have been more charitable, and so I leave them.

The uncertainty of my Recovery hath made me write thus much to you, and truly not without trouble, that you may let His Majesty know my Innocency in these particulars, and that I still continue in a Condition not able to attend Him, which is a great grief to

Your faithful Friend

and Servant,

HAMILTON.

Whitehall, 7<sup>th</sup> April  
1642.

In the middle of April, the King signified to his Council in Scotland, his Design of going in Person against the Rebels in Ireland, which he purposed, both to put more vigour in the Army by his Prefence; as also to refute those Calumnies were spread upon him, as if he inclined to Popery, and had been accessory to the late Rebellion, with which damnable Calumnies his Enemies were beginning to asperse him. But the Scottish Council, as well as the Two Houses, interceded earnestly with him against this Design, pretending the Hazard his Sacred Person would be in. Some judged that they were afraid, lest by such a real Argument the Calumnies were cast on His Majesty, and scattered among the Vulgar for carrying on their Designs, might be refuted; and some feared lest His Majesty, had he gone to the Army, might have gained too much upon their Hearts, whereby he might have been in a Condition to have over-awed the Two Houses.

The King  
thinks of go-  
ing to Ireland

but that moti-  
on is disliked  
by both  
Nations.

An. 1642.

The Chancellor of Scotland sent to mediate betwixt the King and the Two Houses,

In May the Scottish Council sent up the Lord Chancellor to offer a Mediation for a better Understanding betwixt the King and the Two Houses; but the King was much irritated, by the Affront he had lately received before Hull from Hotham. He likewise found the Chancellor insisting on Uniformity of Church-Government, therefore he ordered his return into Scotland; and gave him a full account of all had passed betwixt him and his Two Houses, requiring him to give a true representation of it to his Council there. In the end of the Month the Marquis had recovered so much Strength as to come and wait on the King at York, where he would gladly have prosecuted his former Counsels, for advancing a Settlement betwixt the King and his Two Houses: but he knew not how to advise the King to grant more than he had already yielded to, which (as the King said to him) was more than had been granted by all the Kings of England since the Conquest: adding, that though he had gone a great length in Concessions to them, they had not obliged him by one favourable Vote, so that nothing remained for the Marquis but to lament the Kings Misfortune; yet he offered the uttermost of his Services to him, and subscribed for the pay of three score Horse in the Kings Army. But he represented to His Majesty the Hazard of Scotland's concurring with the Two Houses; which the King might easily apprehend, both from the late carriage of their Commissioners, and from what he knew of their Temper, especially of the Ministers Zeal, and Power with the People. For his own part, he said, he was able to do the King small Service any where; but having neither Interest, friends, nor followers in England, he would be but a burden to His Majesty there: but if he could signify any thing, it was in Scotland, where he should use his utmost Endeavours to divert them from assisting the Kings Enemies; for to expect Aid from them, was not to be thought upon. His Majesty judging this most expedient, sent him to Scotland, without any positive Instructions, recommending only to him his Service in General, of which he was so confident that he wrote the following Letter after him.

Hamilton,

and is sent by the King to Scotland.

I Have no time to write Particulars, and to perswade you to serve me, I suppose that I have less need than time; therefore in a word, this is a Time to shew what you are, assuring you that at all times, I will shew that I am

Your most assured and  
constant Friend,

CHARLES R.

MEMOIRES

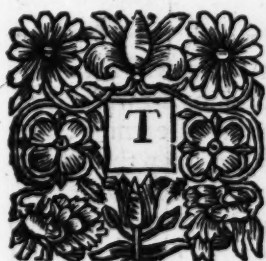
## MEMOIRES

OF THE  
LIFE and ACTIONS  
OF

James Duke of Hamilton, &c.

## LIB. IV.

*Of the Duke's and his Brother the Earl of Lanerick's  
Negotiation in Scotland till their Imprisonment.*



THE Marquis came to *Edinburgh* in the beginning of *July*, and found very many disgusted with him for his late concurrence in the Council at *Tork*, as a Peer of *England*. He studied by all means to remove the wicked Insinuations, which some in *England* had sent to *Scotland* against the King: the most hurtful of them was, about his favouring of Popery, and his Designs of falling upon *Scotland* by Force, as soon as he had mastered the Two Houses. These were zealously propagated by the Emissaries from *England*, and all Places sounded with the danger Religion was in; so that he found his Negotiation was like to prove again unfortunate. The only means by which he had any hopes of engaging *Scotland* in the Kings Quarrel, was, to move that an Invitation might be sent from *Scotland* to the Queen for her return, (whom the Tumults at *London* had driven beyond Sea) that she might mediate for a Settlement betwixt the King and the Two Houses. This he judged might insensibly draw them on to own the Kings Service; for if the Queen came upon their Invitation, they would be obliged in Honour to protect her, and see that she met with no Injuries, and to resent such as should be done her; and therefore he sent a confident Friend to give His Majesty an account of the Posture things were in, according to the following Instructions.

Great Jealousies of the King in Scotland.



An. 1642.

- I. *Shew His Majesty with what a prejudicated Opinion I was received, by reason of what I have done at York, which I still lie under.*
- II. *Shew in what Temper I found this Kingdom, occasioned (as I conceive) by the apprehension they have of His Majesties not observing what He hath already granted, if He shall be in a Condition to force them; seeing it is believed, that what He hath given was against His Will. Next, divers eminent Persons apprehend, that if He obtain His ends by Force, they will be neglected, and Persons obnoxious to this Kingdom cherished.*
- III. *Shew that some active men will not lie idle in so stirring Times; and therefore His Majesty would consider how to make use of them, lest otherwise they may be engaged, and with them the Kingdom.*
- IV. *Shew that it will be impossible longer to delay the Meeting of the Commissioners for Conserving of the Peace, and what my Part hath been therein; and therefore to Consider, if it were not fit they were called by His Majesties Warrant,*
- V. *Shew that I could not think of a better way to serve Her Majesty (for the present) than by procuring an Invitation from the whole Kingdom for Her return; which Proposition if His Majesty conceive fit for His Service, and be acceptable to Her Majesty, I doubt not of the effectuating it, otherwise it shall here end.*
- VI. *Shew that though I can be of no great use to His Majesty any where, yet I conceive more here than at York; for albeit I still say I can undertake for nothing, yet I may possibly be able to prevent Evil, if I can do no Good.*
- VII. *Shew the miserable Condition of my Fortune, which occasioneth the not sending as yet the Moneys for entertaining the Horse, which if the sale of Land can procure, shall be quickly remedied.*

*Dunfermline  
Commissioner  
to the General  
Assembly.*

*The Assembly  
declares a-  
gainst Episco-  
pacy in Eng-  
land,*

In August following there was an Assembly, to which the King sent the Earl of Dunfermline Commissioner, with full Assurances of His Majesties Resolution to adhere to what was now settled by Law, and to encourage all good Motions for advancing of Piety and Learning: and it was also recommended to him, as his chief Work, to keep the Assembly within their own bounds; that they might not meddle with England, nor interpose in the Differences betwixt the King and the Two Houses. But this was not to be done, except by Authority backed with Force; for there came a Declaration from the Parliament of England, which was very welcome to them, and had such a Return as they of England desired. For the Assembly declared Prelacy to be the great Mountain that lay in the way of the advancement of Religion, which must first be removed before the Church and Work of God could be established; and nothing the Kings Commissioner said, was able to divert them from this, so irresistible was their Zeal. They also sent a Petition to the Council, desiring them to second their Address to the King, for an Uniformity in Church-Government in all his Dominions; and likewise desired, that by reason of the Commotions were in England, the Council would call together the Conservatours of the Peace (this was a Court established by the late Parliament, to see to the Preservation of the Articles of the late Treaty with England.) The Council upon this recommended Uniformity in Church-Government, by a Letter to the King, wherein they desired also Warrant to convene the Conservatours of the Peace: the Assembly wrote also to the King to the same purpose.

The

The Marquis represented to His Majesty, that their Zeal for this Uniformity was so great, that no Art could hinder them from Petitioning for it; but if they could be preserved from Deeds, their big words were to be answered with smooth Language.

But as for the Meeting of the Conservatours of the Peace, he laid out the hazard of it to the King; for if he refused to convene them, it would raise Jealousies in the Peoples minds, and there was ground to fear they would meet of their own accord, if they were not called; which would be an affront to the Kings Authority, and might precipitate a Rupture. But on the other hand, there was no small danger in their Sitting, for of that number, some were likelier to disturb than conserve the Peace. To the Letters from the Assembly and Council the King wrote the following Answer.

CHARLES R.

**B**y your Letter to Us of the 19<sup>th</sup> of this Instant August, We find you concur with Our late General Assembly, in their Desire to Us about Unity of Religion, and Uniformity of Church-Government in all Our three Kingdoms; which cannot be more earnestly desired by you, than shall be really endeavoured by Us, in such a way as We in Our Conscience conceive to be best, for the flourishing Estate of the true Protestant Religion. But as for Joyning with Our Houses of Parliament here in this Work, it were improper for Us at this time to give any Answer: for since their Meeting they have never made any Proposition to Us, concerning Unity of Religion, or Uniformity of Church-Government: so far are they from desiring any such thing, as we are confident the most considerable Persons, and those who make fairest Pretences to you of this kind, will no sooner embrace a Presbyterian than you an Episcopal. And truly it seems, (notwithstanding whatsoever Profession they have made to the contrary) that nothing hath been less in their minds than Settling of the true Religion, and Reforming such Abuses in the Church-Government; as possibly have crept in, contrary to the establish'd Law of the Land: to which we have been so far from being averse, that We have by divers Declarations and Messages pressed them to it, though hitherto it hath been to small purpose. But when-ever any Proposition shall be made to Us by them, which We shall conceive may any way advance the Unity of the true Protestant Religion, according to the Word of God, or establish the Church-Government according to the known Laws of this Kingdom, We shall by Our chearful Joyning with them, let the World see, that nothing can be more acceptable unto Us, than the furthering and advancing of so good a Work. So we bid you Farewell.

From Nottingham the 26<sup>th</sup> of August, 1642.

All in Scotland called for the Conservatours Sitting, and said, that they must be on their guard, when War was like to be on their Borders; whereupon the Council ordered the Chancellour to convene them.

At this time all the Scottish Commissioners returned from London, every thing that concerned the Treaty being expedited: but the Council thought it necessary to send the Earl of Lindsay, and Sir John Smith, to lie there for Correspondence, of which they gave the King notice. With this His Majesty was highly displeased, for he said, they were either

An. 1642.

Many desire Uniformity in Church-Government; and that the Conservators of Peace might meet.

The Kings Letter about Uniformity of Church-Government.

The Chancellour calls a Meeting of the Conservators of the Peace.

An. 1642. *W*ther sent to Treat by vertue of the Commission from the Parliament, in which case they were not a *Quorum*, or by the Councils Authority: if so, then he asked who warranted them to do that without his Order? yet to take away any ground of Heats or Jealousies, he impowered them to go, that they might see to the preserving the Articles of the Treaty. As for the *Conservators of the Peace*, he gave the Earl of Lowdon Warrant to convene them against the 22<sup>th</sup> of September, and sent Mr. Murray of the Bed-Chamber, afterwards Earl of Dysert, with Instructions, to inform them of all had passed betwixt him and the Two Houses; whose account of the state he found things in, follows in a Letter to my Lord Lanerick.

Mr. Murray  
sent to Scot-  
land,

who informs  
about the  
State of Affairs  
there.

My much honoured Lord,

*W*hen I arrived here, your Brother was in Argyle; but upon knowledge of my coming, came himself, and brought that Marquis with him to Hamilton, whither the Chancellor went likewise, and there I attended all three.

I found them with the same Affections and Desires your Lordship left in them, but as they conceive, not so able to Act as they were then. They apprehend, the Parliament of England will be much higher in their Demands than at that time; as understanding now both the Kings Power, and their own, which were then but upon forming, and promised a greater Equality. The Kings two Messages to the Parliament have likewise so discredited His Majesties Affairs in this Country, that they fear many forward enough before, will now unwillingly engage in any way which may displease the Parliament; yet they are resolved to do their best, and I believe say little less in this inclosed Letter, signed by all three.

His Majesty must expect in point of Religion, to be prest for Uniformity in Church-Government; and if His Majesty may be moved to publish some handsome Declaration satisfactory in that point, it would infinitely advance all his Affairs in this Country, and from hence have a powerful influence upon that.

The Parliament hath gained much here by their last Vote, and there is a very fine Answer expected to their last Message sent by the Lord Maitland, which will extraordinarily confirm the former Correspondence; if the King do not something plausible in the same kind, timeously and unconstrained, the two Kingdoms will shut upon him in despite of what his best Servants can do.

Here is no Order for publishing His Majesties Declarations, and great care taken to the contrary, which occasions great prejudication in the common Peoples minds, and were very fit to be amended.

I am looked upon here with great Jealousie, yet it lessens because they see I am not busie. I am advised by your Brother, and the rest, for avoiding of suspicion to go up to Court, which (having dispatched some particular business I have of my own) I am resolved to do. They have entrusted me with these particular Queries, of which they desire His Majesties Resolution; if your Lordship find opportunity you may acquaint His Majesty with them. They desire likewise your Lordship may be sent down with a Letter to the Commissioners full of Confidence, and allowing them all Freedom in their Consultations. In respect of this great Meeting, your Brother cannot make his Journey to Holland: no Act of that nature being now to be done, their Opinion and Authority not consulted: but I find them all right set in the thing, and truly so respectful to the Queens Person, it did my Heart good to hear them.

All



*All the Lords Conservators which are with you, will receive Summons: but An. 1642. it is not desired they should come down, and truly I believe their Presence will do more hurt than good.*

*I must intreat your Lordship to acquaint His Majesty with these Particulars, to receive his further Commands, and convey them to*

Edinburgh, 10<sup>th</sup> Sept.

1642.

My Lord,

Your Lordships faithful  
humble Servant,

M. MURRAY.

### POSTSCRIPT.

*The King must send to New-Castle Directions concerning his Ships, for their Victuals are quite spent; my poor opinion is, they should be sent to Holland, where they may be safer, and attend the Queen.*

What the Queries mentioned in this Letter were, appears not to the Writer: but for the Letters and Declarations the King sent to Scotland, they are all of one strain; and because the clearest and fullest was sent the next Summer, I shall refer all to that, which shall be set down in its proper place. Only I have here inserted an account of the Kings Affairs with the Two Houses, written by Lanerick to one in Scotland, (whose Name I find not set down but believe it was to Mr. Murray,) and corrected with His Majesties Pen in some places.

SIR,

**A***S you desired me, I moved His Majesty for a Copy of the last Message to the Houses of Parliament, which you will herewith receive. His Majesty hath not as yet had any Answer from them, but we are informed here, His Messengers have been far otherwise received than he expected, (since they were the Carriers of so good a Message: ) for the Earl of South-Hampton, a better Poster than the Earl of Dorset came to the House upon Saturday last, and as he was going to take his place, he was called to, to withdraw. He said, he had a Message to deliver them from His Majesty, but received no other Answer than still a Command to withdraw, which at last he obeyed: then they sent the Black Rod to him, requiring him to send the Message to them by him; which he refused, having Commands to deliver the Message himself to the House. But they again pressed it, yet he still refused; at last they declared, that if any Evil did arise from the not delivering of his Message, they were free of it: whereupon he sent it to them by Mr. Maxwell, to which he received no other Answer, than their absolute Command immediately to remove from Town. The House of Commons were something more favourable to Sir John Culpeper, who after some Debate, was admitted into the House, (though not to his Place) but, as I am informed, delivered his Message at the Bar, and thereafter was commanded to withdraw. It was then taken into Consideration, whether or not he should any more be admitted as a Member of that House; which was voted in his favours, so that it is like their Answer will be returned by him: which I hear will only be to let His Majesty know, that so long as his Proclamations are out against the Earl of Essex (and such others their Adherents, of whom they*

*An account of  
Affairs in  
England.*

*account*

An. 1642. account themselves to be) as Traytors, and the Standard up for raising of Men to suppress them; they account themselves as out of His Majesties Protection, and so incapable to Treat.

By this the World will see, whether His Majesty or they be the occasion of this War, and of all the Blood which is like to be shed in this unfortunate Kingdom. His Majesty hath left no means of Accommodation unessayed, for he hath even descended to make the first Offer of a new Treaty; so careful is He of His Subjects Lives, that for their Safeties, He is even prodigal of His Own Honour: and certainly he hath not a Subject that hath Honour, but will be sensible of the Extremities he is now reduced into. I wish our Countrymen may take it so to heart, as not to neglect this occasion of witnessing their Affections to His Majesty, by making some Overtures for such a Treaty, or offer of their Service to Him; (since His Majesty is absolutely resolved to send no more Messages) as may be most for His Majesties Honour, and Peace of His Kingdoms: which if they shall refuse or despise, I hope we will not then forget, that it is our King that is reduced to this necessity, and that we will never look on unconcerned where he is so deeply engaged. I hope you will pardon the Trouble I give you in reading this long ill-written Letter; for had I not been Commanded to it, by a Power which God willing, I shall never disobey, it had not been hazarded on by

Nottingham, the last  
of August 1642.

Your most humble Servant,

LANERICK.

Much pains  
taken to en-  
gage Scotland  
to the Kings  
Service.

The Marquis took all the pains imaginable on Argyle and Lowdon, to perswade them to a cordial owning of the Kings Service, as the only way to give Scotland a lasting Interest in the Kings Affection, which also would make them famous all the World over. And since the Scottish Troubles had involved the King in all His difficulties, it was just they should study to extricate him: and for the pretence of Religion, with which the English were cajoling our Scottish Clergy, he said he was to be pardoned, if he presumed to know them better than they could, assuring them that Religion was only pretended by them. He took also a great deal of pains in many others, to prepare them against the day in which the Conservatours were to meet; to which Lanerick came with the following Letter from His Majesty.

Right trusty, &c.

The Kings Let-  
ter to the Con-  
servatours of  
the Peace.

HAVING been informed that upon Petition of the Commissioners from Our late General Assembly, Our Council thought fit, that you should meet for discharging of that Trust imposed on you by Us, and Our Parliament, whereby all fair means may be used to prevent such Troubles and Divisions, as may interrupt or endanger the common Peace of Our Kingdom. And as it ought to be the continual study of all Good and Pious Princes, to preserve their People, so certainly it is the Duty of all Loyal and Faithful Subjects, to maintain the Greatness, and Just Authority of their Princes; so that without this reciprocal Endeavour, there can be no Happiness for the Prince, nor Security for the People. We are sure, Our late Actions in Scotland, will to all posterity be an acceptable witness of Our Care, in preserving the Liberty of those Our Subjects, and Our Desire to settle perfect Peace in that Our Kingdom. And We are also confident, that the many good Acts We have past here (since the Successors)

ting of this Parliament, (indeed denying none but such as denyed Us any An. 1642. Power at all, and were never so much as demanded from any of Our Predecessors) will bear the like Testimony of Our Affection to the Good and Peace of this Kingdom, though the Success hath not been alike. For though We have used Our best Endeavours, to prevent the present Distractions and threatening Dangers: yet so prevalent have been the opposers of Us, and the Peace of Our Kingdoms, that not so much as a Treaty can be obtained, (though by Our several Messages We have descended to demand and press it) unless upon such Conditions, as would either by taking all Power of Government from Us, make Us as nothing; or by forcing Us to quit the Protection of such, as for obeying Us (according to Law and their Oath of Allegiance) they would have Traytors, and so make Us do an Act unworthy of a King. Yet so desirous We are to save Our Subjects Blood, (which cannot but be prodigally spent, if We be necessitated by force of Arms to decide these unhappy Differences) that no sooner any such Treaty shall be offered unto Us by them, (which with Honour and Safety We can receive) but We shall chearfully embrace it. This We have thought fit to acquaint you with, that from Our Selves, you may know Our love to Peace, and We doubt not but your Meeting at this time will produce something which will witness your tender respect to Our Honour and Safety; and so much We do confide in your Affections, as We shall absolutely leave the ways and means of expressing it to your selves. So We bid you heartily farewell.

From Our Court at Stafford, the 18<sup>th</sup> of September.

This so far prevailed with them at their first Meeting, that all things went very fairly; so that they sent a Return to the Kings Letters, without making any Judgement on the Differences betwixt Him and the Parliament. They also resolved to Mediate betwixt the King and the Two Houses, and for that end, designed to send the Marquis to Holland, with an Invitation from Scotland to Her Majesty, for her Return to mediate a Peace betwixt the King and Parliament. And the Marquis got a Paper signed, by almost all the Lords, not only those who were the best-affected, but by Lowdon, Argyle, Waristoun, Mr. Alexander Henderson, and the other Leaders of the Party, containing an Invitation for Her Majesty, to come to Scotland, with assurance of Security for Her Person, and the free exercise of Her Religion for Her Self and Family, (so that no others were admitted to share in it;) and that they should concur with Her Majesty, in mediating a Peace betwixt the King and the Two Houses, which if it were rejected by the Two Houses they obliged themselves to engage for the King against them. This was carried with great Address, and managed so prudently, that wise men called it the Master-piece of the Marquis his Life. Lanerick carried it to the King, to receive His Pleasure about it, a Note whereof follows, written by Lanerick in general Terms.

The Conserva-  
tors incline  
to serve the  
King,

and to invite  
the Queen:

**D**ivers of the most considerable of the Nobility of Scotland, have (by the Earl of Lanerick) humbly offered unto His Majesty their sense of the present Differences betwixt Him and His Parliament of England, which they conceive will hardly be reconciled so long as Her Majesty is at so great a distance; and therefore are persuaded, it would conduce much for Settling these Distractions, if Her Majesty might be moved to return and mediate in so good a Work; for which end the Marquis of Hamilton (if His Majesty think

and send Lan-  
rick to the  
King.



*An. 1642. fit, and conceive it may be acceptable to Her Majesty) will be ready to go to Holland, humbly to invite Her Majesty herunto, in Name of this whole Kingdom of Scotland, who will as dutiful and faithful Subjects, humbly joyn their Endeavours and Mediation with Her Majesty, that His Majesty may have Honour and Contentment, and His People Happiness and Security under His Royal Government.*

But the King  
was jealous of  
them.

The King at first welcomed this Proposition with a great deal of Joy, but upon other grounds, he thought not fit to listen to it; for his Affection to the Queen made him fear the hazard of Her Person so much, that this Proposition was not entertained, which the Marquis often regretted as a Loss which could never be recovered: for this raised Jealousies in the minds of the *Scotish* Lords, as if the King had no Confidence in them, which was cherished sufficiently by divers Male-contentments, upon which the Marquis despaired of getting any good done in *Scotland*. All he judged possible thereafter, was to prevent, and provide against the Evil he feared, and that he prosecuted with all the Zeal he was master of; which His Majesty understanding by Mr. *Mungo Murray* Cupbearer, wrote him what follows.

Hamilton,

**Y**our Letter and this Bearer hath so fully satisfied me, (that I cannot be more confident in any thing than that you will (beside what you have) deserve that mark of Favour I intend you. You know me too well to have more words spent upon you; only this, I think unfit to trust particulars to Paper, having so trusty a Messenger, whom I stayed this long, expecting dayly a Battel: but now I think the Rebels want either Courage or Strength to fight, before they be forced. So referring you to my Servant Mungo, I rest

Wollerhampton, the  
27<sup>th</sup> Octob. 1642.

Your most assured constant Friend,

CHARLES R.

The Conserva-  
tours become  
worſe affected.

The next Meeting of the Conservatours was on the 24<sup>th</sup> of November, where their strain seemed much altered to the worse; yet they still resolved to interpose in a Mediation betwixt the King and the Parliament of *England*: whereupon they wrote both to the King and the Two Houses, for a Safe-conduct to such as they should send up.

The Earl of  
Louthian is  
sent to France.

At this time there were great Complaints of some encroachments made upon the Priviledges the *Scotish* Nation had enjoyed in *France*: for Redress whereof the Council thought it necessary to send one to *France*, and made choice of the Earl of *Louthian*; and sent him first to the King, with the Instructions they had given him, that His Majesty might send him as His Minister, to negotiate that Affair. One of the Instructions, was to get the Marquis put in possession of the Honour and Revenue of *Chastle-herault*.

Upon the Earl of *Louthian*'s coming to Court, the Instructions he had from *Scotland* were called for by His Majesty; who judged he had no reason to allow this Precedent of His Subjects instructing His Agents to Foreign Courts, and these are yet extant among *Lanerick*'s Papers.

But

But the King caused write them over in his Name, so that there was no ground from this, to charge any thing on the Marquis, as tampering with Foreign Princes, which was publickly done by his Enemies on this occasion; it having been ordinarily recommended by King James to all the Ministers he sent from Scotland to France. Neither was this done without the Kings particular Knowledge and Orders; for besides that the King gave that Instruction with the rest, he very seriously recommended it by word of mouth to Lowthian's Care, as he informed the Writer.

After this the Marquis represented to the King, that it were fit he should send down some person of Quality to give fresh Assurances and Hopes, before they sent up their Commissioners: whereupon the King sent down the Earl of Lanerick, as the person who understood his thoughts best, and was ablest to second his Brother in advancing his Service. He came from Oxford in the beginning of December, and brought the following Letter from the King to his Brother.

Hamilton,

**T**hough the Trust of this Bearer needs not a Credential Letter, yet the Civility of a Friend cannot but under his hand, as well as by word of mouth, express his Kindness, and resentment of Courtesies; which of late have been such, that you have given me just cause to give you better Thanks, than I will offer at in words. I shall not neglect the lazie use of so trusty a Bearer, by referring to him, not only the estate of my Affairs here, but likewise in what way you will be of most use to Me: yet I cannot but tell you, I have set up my rest upon the Justice of my Cause, being resolved, that no extremity or misfortune shall make me yield; for I will be either a Glorious King, or a Patient Martyr, and as yet not being the first, nor at this present apprehending the other, I think it now no unfit time, to express this my Resolution unto you. One thing more, (which but for the Messenger were too much trust to Paper) the failing to one Friend hath indeed gone very near me; wherefore I am resolved, that no Consideration whatsoever shall ever make me doe the like. Upon this Ground I am certain, that God hath either so totally forgiven me, that he will still bless this Good Cause in my Hands; or that all my Punishment shall be in this World, which without performing what I have resolved, I cannot flatter my self will end here. This accustomed Freedom will (I am confident) add chearfulness to your honest Resolutions, seeing beside Generosity, to which I pretend a little, my Conscience will make me stick to my Friends, assuring you, I have none if I am not

An. 1642.

Lanerick is sent back to Scotland.

An extraordinary Letter of the Kings.

Oxford, 2<sup>d</sup> Decemb.

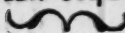
1642.

Your most assured constant Friend,

Dd 2

CHARLES R.

An. 1642.



The Ministers  
perswade the  
People to  
Arms.

The Marquis  
and Argyle at  
enmity.

The Marquis  
is complained  
of England as  
the Incendiary.

Great debates  
in the Council  
about the  
Kings Decla-  
ration.

This excellent Letter will both shew, what pious Resentments His Majesty carried along with him in the greatest perplexities of his Affairs, and discover how he did not think that the Marquis had either neglected or abused his Trust. *Lanerick* acted with more briskness, and spoke more home and roundly than his Brother, which preserved him in a high degree from the Jealousies, which the smoothness of his carriage brought upon him. Now the Pulpits were not idle, for the Ministers begun again to work on the People, for the Defence of the Good Cause now in hazard, which was echoed back with the applause of the Vulgar.

At this time the Marquis his Friendship with *Argyle* grew to a Coldness, which after a few moneths turned into an Enmity; for he finding *Argyle* so backward in all motions for the Kings Service, and that he could not be prevailed upon to continue in a Neutrality in the *English* quarrel, broke with him.

There was then in *Scotland* one *Pickering*, an Agent from *England*, who studied to poyson all with Misinformations of the Kings Proceedings and Designs. He wrote to Mr. *Pym*, that he found good inclinations with all in *Scotland*, to own their Quarrel, and declare for them; only the Marquis with his Friends resisted it so powerfully, that till he were laid aside, the success of his Negotiation was to be feared. Wherefore he advised to proceed against him roundly, and either to summon him to the House of Peers, or to send down a Warrant to pursue him in *Scotland* as the Incendiary betwixt the two Kingdoms: and he sent threatnings of this to the Marquis; but he found his firmness to the Kings Service was proof against all Attempts, and he could neither be caressed, nor cudgelled out of it. Most of *Pickering's* Letters, both to *Pym* and *Clothworthy*, were intercepted, from which I draw these Accounts.

About the 20<sup>th</sup> of *December* there was a Council-day, (a particular account whereof I shall give, as I have it from a Copy of a Letter written to *London*) in which the Chancellour presented to the Council a Letter from my Lord *Lindsay* (then at *London*) with the Declaration of the Parliament. But though the Lords of that Party knew nothing of this, yet by private Letters *Lanerick* had some conjectures of it beforehand. After the Parliaments Paper was twice read, *Lowdon* resumed it fully, and as soon as he had done with that, *Lanerick* delivered another Letter from the King, with as large a Declaration within it: and after it was twice read, *Lanerick* bade the Chancellour resume it, as faithfully as he had done the former; which accordingly he did. The first thing the Marquis thought best to move, as that of the least Importance, which yet would discover how the Council was inclined was the Publishing the Kings Declaration. The Lord *Balmerino* said, the Parliament desired not theirs to be published, so it were Officiousness to do it; but that it were Injustice to publish the one without the other. The Marquis asked, was that because we owed as much to the Parliament of *England*, as to the King? *Lanerick* added, he had a Command from the King for it. *Argyle* answered, they fate there to good purpose, if every Message to them was a Command; and they two let fly at one another for a while with much eagerness. But the Marquis and *Balmerino* took the debate off their hands, and managed it more calmly. The Marquis said, the Vote was to be stated, Obey or Not obey: the other answered,



answered, that was the Bishops way of proceeding, to procure Orders *An. 1642.* from the King without Advice, and then charge all who offered better Counſel with Diſobedience. The Marquis ſaid, to what did they mean to reduce the Kings Authority, if he might not ſet out Declarations, for removing the Aſperſions were caſt on his Perſon and Government? or would they ſpeak plainly, were they afraid that his Subjects might have too good an opinion of him, if they heard himſelf? There appeared a variety of Opinions before it was put to the Vote, ſome were for Printing both, ſome were for Printing neither, ſome for Printing the Kings and not the Parliaments; and one had a ſingular Opinion, for Printing the Parliaments, and not the Kings. There were one and twenty Councellours preſent, and it being put to the Vote, Print or not Print, there were eleven who voted *I, I, I,* and nine voted *No, No, No.* This being carried that the Kings Declaration, and not the Parliaments ſhould be Printed, the Marquis moved next, that the matter of theſe Declarations might be conſidered. But the Lord *Balmerino* ſaid, the Parliament of *England* was long in contriving their Paper; and the King, and thoſe about him, had been no doubt, as long in forming the other; and if we ſhall fall upon a few hours Conſideration, to give our ſenſe of them, *we were pretty fellows in faith*, which he twice repeated. This rude Raillery touched the Marquis in the quick, becauſe he conceived theſe words were not ſo much a reflexion upon himſelf, as on the King, who (on another great occaſion) had uſed the ſame expreſſion. However they had ſate and debated long, ſo they gave it over for that day. This is ſet down more particularly, becauſe it was the firſt inſtance that theſe two Parties fell viſibly aſunder: and henceforth they continued ſtated in two Factions. But becauſe I love not to name perſons upon invidious occaſions, henceforth all the other Faction ſhall be deſigned by the General term of the *Church-party*, (others calling them *Argyl's Party*) and the other the *Hamilton-party*. However the Declaration was printed, which drew a large ſhare of Censure and Hatred on the two Brothers; but the King was ſo well pleaſed with their Behaviour, that he wrote the Marquis the following Letter.

Hamilton,

**Y***ou know I am ill at words: I think it were beſt for me to ſay to you (as Mr. Major did) you know my mind, and indeed I know none of my Subjects, that knows it better; and having for the preſent litt'e elſe to give my Servants but thanks, I hold it a particular Miſfortune that I can do it no better, therefore this muſt ſuffice. I ſee you are as good as your word, and you ſhall find me as good in mine, of being*

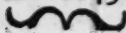
Oxford,  
December 29<sup>th</sup>.  
1642.

Your moſt aſſured conſtant Friend,

CHARLES R.

POSTSCRIPT.

An. 1643.



## POSTSCRIPT.

You cannot take to your self, nor expresse to your Brother, better thanks than I mean to you both, for the Service you did me the last Council-day.

Anno 1643.

An. 1643.

Most are inclined to joyne with the Two Houses against the King.

**T**He next Year begun with Petitions, which were brought from divers Shires and Presbyteries, complaining of their Publishing the late Declaration; but the Conservatours of Peace (who were for the most part of the Church-party) made this up the best way they could; for first, they declared a Publication was not an Approbation; next, they appointed the Parliaments Declaration to be also Published. At this time the Marquis and Traquair renewed their old Friendship: and seeing these Petitions coming in so fast, which did clearly insinuate desires of engaging in the Parliaments Quarrel, he with his Brother's and Traquair's advice, contrived a Cross Petition to be offered to the Lords of Council. And as the Motion of it came first from him, so the first draught of it was from his Pen, of which I find an account under Lanerick's hand: so little reason there was to charge him with Juggling in that matter; though it was not fit, he should have owned it, lest upon that account the Church-party might either have accused him as a Plotter, or at least cast him from Sitting and Judging in it. The Petition follows.

The Cross Petition.

May it please your Lordships,

**T**hat whereas His Majesty, with Advice of his Great Council the Estates of Parliament, hath been pleased to select your Lordships to be His Councellours, and hath, by an Act of the late Parliament, committed to your Lordships the Administration and Government of this Kingdom, in all Affairs concerning the Good, Peace, and Happiness thereof; and in regard of that great Trust reposed by His Majesty, and the Estates of Parliament in you, your Lordships have been and will continue so careful to acquit your selves of that weighty Charge, as you may be answerable for all your Actions and Proceedings to His Majesty, and the Estates of Parliament, to whom (as we conceive) you are and can only be accountable: And now we being informed of a Petition presented by some Noblemen, Gentlemen and others, to the Commissioners, for conserving the Articles of the late Treaty, upon pretext of your Lordships not Sitting at that time, wherein it is represented, that your Lordships late Warrant for Printing His Majesties Letter hath occasioned great Grief and heavy Requite, of all who tender the Glory of God, His Majesties Honour, and procuring Unity of Religion, and Uniformity in Church-Government, the continuance of Peace, and Union betwixt the two Kingdoms, and fearing if at this time, we should be silent, your Lordships should conceive us, and the rest of the Kingdom, to be involved with them in the like Desires, Judgements and Opinions, and lest by our silence our Gracious Sovereign the Kings Majesty should believe us wanting in the Duty and Allegiance, which  
by

by so many Tyes and Obligations we owe to Him, our Native King, or that our Brethren of England should apprehend the least Intention, or Desire in us, to infringe, or any ways to encroach upon the Brotherly Union of the two Kingdoms, so happily united under one Head; We presume in all Humility to clear our selves, and our Intentions to your Lordships, and to all the World, and therewith, to represent our humble Wishes and Desires, for Establishing His Majesties Royal Authority, and continuing that happy Union betwixt the two Kingdoms, which can never truly be conceived to be intended to weaken the Head, whereby it is knit together, and without which it can have no subsistence.

The happy Union of the two Kingdoms under one Head, our King, doth so much add to His Majesties Greatness, and Sirength of both Kingdoms, that we British Subjects cannot choose but wish that the said Brotherly Union be heartily entertained, and cherished by all fair and reasonable means, to which we conceive no one thing will so much conduce, as that the late Articles of the Treaty of Peace, and Conclusions taken thereupon about Unity of Religion, may be carefully and timeously prosecuted: wherein as our Commissioners then, so we now without presuming or usurping to prescribe Rules, or Laws of Reformation to our Neighbour-kingdom (Civil Liberty and Conscience being so tender that it cannot endure to be touched, but by such as they are wedded to, and have lawful Authority over them) notwithstanding, seeing the duty of Charity doth oblige all Christians to pray and profess their Desires, that all were of the same Religion with themselves, and since we all acknowledge that Religion is the base and foundation of Kingdoms, and the strongest Bond to knit the Subjects to their Princes in true Loyalty, and to knit their Hearts one to another in true Unity, we cannot but heartily wish, that this work of Union so happily begun, may be crowned and strengthened by the Unity of Church-Government; and that your Lordships with us may be pleased to represent it to His Majesty, and Both Houses of Parliament, as an expression and Testimony of our Affections to the good of our Brethren in England, and of our Desires to make firm and stable our Brotherly Union by the strong chain and Bulwark of Religion: but, as we have said, no ways intending thereby to pass our bounds, in prescribing, and setting down Rules and Limits to His Majesty, and the Two Houses of Parliament, their Wisdom and Authority, in the way of prosecution thereof. The sense we have of the great Calamities, and irreparable Evils, which upon occasion of these unhappy Distractions and Mistakes betwixt the Kings Majesty and the Two Houses of England, (which if not speedily removed cannot but produce the fearful and prodigious effects of a bloody and Civil War) obligeth us in the duty of Christians, and as feeling members of what may concern our Common Head, the Kings Majesty, and the Good and Happiness of our Brethren of England, humbly to represent to your Lordships, That as we will not be wanting with our Prayers, and our faithful and best Endeavours, to assist in the removing of these unhappy Mistakes and Misunderstandings: so we heartily wish, and humbly Petition your Lordships, that from the deepness of your Wisdom such happy Motions may flow, as upon that tender care of our Sovereigns Person and Authority, Peace and Truth may be settled in all His Majesties Dominions. Although we will not presume nor take upon us, to prescribe Laws and Rules to your Lordships, yet in all Humility we intreat your permission, to represent such Particulars as we conceive, and are very confident, will conduce much to the removing of all these Mistakes betwixt His Majesty and His Two Houses of Parliament, and be a ready mean to facilitate a happy and wished Peace, and continue the Brotherly Union between the Two Kingdoms.

And



An. 1643. And first, that in answering the foresaid Petition your Lordships may be pleased to do no Act, which may give His Majesty just occasion to repent him of what Trust he so Graciously expressed (in his Letter of the Date the fifth of December) He reposes in us His Subjects of His Ancient and Native Kingdom; for we cannot think, that our Brethren in England, or any other, can believe, that the ground of this Mutual Union of the two Kingdoms, by the severall and respective Unions to our Prince and Head, should weaken the strong Bond, whereby it is knit, and by which we are so firmly tied, by so many Ages, and unparaelled lineal descents of an hundred and seven Kings. Neither can we suppose, that any good Protestant, or true member of our Church, can imagine, far less seduce others to believe, that by the late Treaty of Peace, or Act of Union, we as Scottish Subjects are in any sort liberated from the Dutiful Obedience, which as Scottishmen we owe to our Scottish King, or from that due Loyalty, which as Scottish Subjects we owe to our Native Sovereign, for Maintenance of His Person, Greatness and Authority; or that thereby, we are in any other Condition in these necessary Duties to our Sovereign, than we and our Ancestors were, and have been, these many Ages and Descents, before the making of the said Act, or before the Swearing and Subscribing of our late Covenant, by which we have solemnly sworn, and do swear not only our mutual Concurrence, and Assistance for the cause of Religion, and to the utmost of our power, with our Means and Lives, to stand to the Defence of our Dread Sovereign His Person and Authority, in the preservation of Religion, Liberty, and Laws, of this Church and Kingdom; but also in every Cause, which may concern His Majesties Honour, we shall according to the Laws of this Kingdom, and Duty of Subjects, concur with our Friends and Followers in quiet manner, or in Arms, as we shall be required of His Majesty, or His Council, or any having His Authority.

Secondly, That if your Lordships think it fitting, to make any answer to the Parliament of England their Declaration, your Lordships may be pleased not to declare, enact, or promise, any thing which may trouble or molest the Peace of this Kirk and Kingdom; which by God's special Grace, and His Majesties Favour and Goodness, we enjoy and have established unto us according to our Hearts desire, by the Laws Ecclesiastical or Civil of this Kingdom respective, and which His Majesty since, by so many Declarations and deep Protestations hath Sworn to maintain inviolably.

Thirdly, That your Lordships may be pleased to consider, that as nothing will more diminish His Majesties Greatness, than that this Kingdom should consume in Civil War; so nothing will more conduce to the Suppressing of insolent Papists, malignant, schismatick, and Disloyal Brownists, and Separatists, the special, if not the sole promoters of these unhappy Misunderstandings, than that heartily and freely, without respect of worldly and secondary Considerations, we give to Christ what is Christ's, and to Cæsar what is Cæsar's; by means whereof, the Truth and Purity of Religion shall be established, to the utter Confusion of all these Sectaries, true Monarchical Government firmly settled; by which likewise, Laws and Authority shall retain their ancient vigour and force, to the Suppression of all Commotions and tumultuous Conventions, the bane and overthrow of all true Religion and Policy.

Fourthly, Although there be nothing farther from our minds, than to presume to question, or crave of your Lordships an account of your Actions, knowing perfectly by the inviolable Laws and Customes of this Kingdome, that to be only proper and due to the King and Parliament, from whence you have that

that great Charge and Trust delivered unto you: yet we hope your Lordships will give us leave, in all Humility to remember your Lordships of your Deliverance June 1642. and are confident, that the said Lords, the Petitioners, neither have, nor shall have, necessity to trouble themselves, nor the Council with Supplications of this kind, and that your Lordships in your Wisdom will take some Course for preventing all occasions, which may in any sort disturb the Peace of this Kingdom, or make Divission among the Subjects thereof. An. 1643.

This Petition was signed by a great many Noblemen, and Gentlemen; but though they took much pains to get Ministers to concur in it, yet none of them could be drawn to it. This Petition was presented with many hands at it to the Council; and it was observed, that as it was written by a trusty Friend of the Marquis's; so also all his Friends signed it, which made the Author suspected, and did shew that his Friends adhered (hitherto) to their Duty, and his Example. All the Answer the Councillors returned to it, was, that they should be careful to proceed as they should be answerable: But the Preachers threatned Damnation to all the Authors and Subscribers of it, and detestable Neutrality became the Head on which they spent their Eloquence. The Commission of the General Assembly passed a severe Censure on the Cross Petition, in a Remonstrance they gave in against it, which was answered by a Counter-remonstrance. Upon these cross tides of Petitions, that were offered to the Council, the Conservatours of the Peace resolved to send some Commissioners to London, to Mediate betwixt the King and the Two Houses, and endeavour chiefly the Uniformity of Church-Government; for which end the Commission of the Kirk was also to send their Commissioners, to second them in it: and no resistance could be made to this, that was able to obstruct it. They also moved, that the King should be desired to call a Parliament in Scotland. The Marquis and his Friends opposed this vigorously, not that he was against a Parliament, but judged the Motion unseasonable; and thought the Time prefixed at the last Parliament, for the next, to wit, after three years, needed not be anticipated. It was also put in their Instructions to their Commissioners, to press the King to put all Papists from his Person. The Marquis and his Friends also opposed this, not upon the account of the thing it self, but because it seemed to cast a Scandal upon the King, as if his Religion were to be suspected. But the Church-party was strongest in this Meeting of the Conservatours, and so carried every thing in it. The Safe-conducts being come, they named their Commissioners, the Chancellour being the chief of them; and though Lanerick in the Kings Name excepted against the Lord Waristoun, and produced the Kings Warrant for it; yet they named him, but were so wise as not to send him. They were also so discreet, that they appointed the Commissioners to go first to the King. Things being thus determined, Lanerick took the start of them; but they were at Court before him, he being detained by a Garrison of the Parliaments for some days.

In the end of February he came to Oxford, where he gave the King an account of the present state of the Scottish Affairs, and that it was the Advice of His Majesties truest Friends in Scotland, that he should entertain the Commissioners with the best words he could give them, but should not by any means suffer them to go to London; since there were

An. 1643. great grounds to fear, they would engage too deep in the Quarrel if they went thither. This Advice agreed so with the Kings Inclinations, that it could meet no resistance in his thoughts. When the Commissioners arrived they delivered their Message; but the King repeated what was formerly told them, *That Scotland and England had different Laws and Interests, and therefore it was to give the one Kingdom too great an advantage over the other, to suffer them to come and be Umpires in the present Differences.* They pressed their Desires as warmly as they could, but all was in vain, for the King would by no means suffer them to go to London; and in particular he told the Earl of Lowdon, what grounds He had to believe they designed to raise an Army for the Parliaments Quarrel, and that some of his fellow-Commissioners would prove Incendiaries rather than Mediators. But Lowdon with great Protestations denied that they designed to raise Arms; and said to the King, These were but the Misrepresentations, with which the Marquis and his Brother abused His Majesty. As for the Calling a Parliament, the King said he saw no reason for it, and therefore would not anticipate the Day that was already prefixed for it. But to the Commissioners from the Assembly, the King gave the following Answer; which I set down in his own Words, having it written all with His Majesties own Hand.

**H**is Majesty commends the Zeal of the Petitioners for the advancement of the true Reformed Religion, against Heresy, Popery, Sects, Innovations, and Profanity, and always shall use His best and uttermost endeavours, for Advancing the one, and the utter Suppressing the rest.

For the Unity in Kirk-Government, His Majesty knows, that the Government now established by the Laws, hath so near a relation and intermixture with the Civil State, (which may be unknown to the Petitioners) that till a composed digested Form be presented to him, upon a free debate by Both Houses of Parliament, whereby the Consent and Approbation of the whole Kingdom may be had, and He and all His Subjects may discern what is to be left, or brought in, as well as what taken away, He knows not how to consent to an Alteration, otherwise than to such an Act for the ease of Tender Consciences, in the matter of Ceremonies, as His Majesty hath often offered.

And His Majesty hath formerly expressed Himself (and still continues) willing, that the Debates of Religion may be entred into by a Synod of Learned and Godly Divines, to be regularly chosen, according to the Laws and Customs of this Kingdom; to which end His Majesty will be very willing, that some Learned Divines of the Kirk of Scotland may be likewise sent to be present, and offer their Reasons and Opinions.

This



This was the Success of that Negotiation ; but because the Reader *An. 1643.* may wonder how *London*, and the Marquis came to be in such terms, I shall set down the occasion of their Breach.

When *London* was to go up, the Marquis resolved on a Course that should either stop his Journey, or make him so obnoxious to the King, that he should not dare to act contrary to his Duty ; which was this. *London* had purchased from the King a Right to the Annuities of the Tythes, that was confirmed to His Majesty by Act of Parliament, whereupon the Marquis caused the following Petition to be drawn by *Traquair's* Advice.

To the Kings most Excellent Majesty, the Humble  
Petition of the Noblemen, Barons, and Gen-  
tlemen, occasionally met at *Edinburgh*.

Humbly Sheweth,

**T**hat whereas Your Majesty at Your late being in Scotland, being humbly moved to disburden and liberate the Subjects of this Kingdom of the Annuity due to Your Majesty out of the Tythes, were pleased in that only Particular to delay to give us our Hearts desire, and now out of the sense of the great Burdens that lye on us, and in Confidence of the Continuance of Your Majesties Fatherly Care of the Good of Your Subjects, we presume humbly to supplicate Your Majesty, to be Graciously pleased in this Particular to dispense with Your Own Benefit : or at least, till Your Majesty be informed of the true state thereof, to discharge Execution against us for the said Annuities. And for Your Majesties incomparable Goodness and Gracious Favours, we shall, as in duty bound, behave our selves in every thing as becometh Loyal and Faithful Subjects. As we have unanimously endeavoured, so shall we still continue to return such thankful Acknowledgment, as may give to Your Majesty a real Testimony of our zealous Affections to Your Majesties Sacred Person, Honour, and Greatness, derived upon Your Majesty by so many unparalleled Descents, and as Your Majesty may expect, and justly challenge from the Allegiance of us Your Majesties most obedient and obliged Subjects.

The Petition  
against the  
Annuities.

16th February 1643.

The last words of this Petition were by the first draught so conceived, as would have amounted to a Bond of Mutual Defence and Adherence, which the Marquis thought might draw on a Rupture, and occasion a pursuit as against Plotters ; therefore, since this Paper was to be avowed and publick, he judged such Expressions as were smooth and general were fittest for their Design.

This Petition was signed by him, and a great many of the Nobility : he also sent it up and down, all the places where he or his Friends had Interest, to get Subscriptions to it. This was generally looked upon as a well-couched Bond, both by such as took it, and those who refused it ; and yet this smoothing of the Expressions of it, was represented by the Marquis's Enemies, as done in prejudice to the Kings Service. These Petitions were sent immediately to the King ; upon which great

An. 1643. Complaints were made, as if by these immediate Addressees, the Judicatories of *Scotland* had been neglected: but the King justified that part of it in an Answer he wrote to the Council; and for the thing it self, he resolved to keep *Lowdon* under the fear of it, and therefore delayed to make any Answer.

The Queen lands in *England*, and *Montrose* waits on Her, and offers his Service.

In the end of *February* Her Majesty landed at *Burlingtoun*, whither the Earl of *Montrose* went to represent to Her the hazard of a new Rebellion in *Scotland*, and that the only way to prevent it, was to take the start of them before they were ready; and with a great deal of forwardness offered his Service in that Design, adding, that he had great Assurances of a considerable Party, who he knew would own the Kings Quarrel: but he did not condescend on the particular way of prosecuting it, so that the Queen was not satisfied of his being able to effectuate what he undertook. Mean-while the Marquis hearing of Her Majesties Landing, went to wait on Her, to whom She proposed the Earl of *Montrose's* Offer; but he studied by all means to divert Her from listning to it, upon the following Grounds.

The Marquis goes to Her, and dissuades the precipitating a Rupture with *Scotland*.

The King had settled a Treaty with *Scotland*, and till that were violated on their part, he knew His Majesty would never consent to a Rupture on his part: and the King had so often and so lately, in his Letters and Declarations, protested, he was resolved unalterably to adhere to the late Settlement; that if he should now authorize the first Breach, it would bring an indelible stain upon his Honour, and create a perpetual Diffidence in his Subjects of all his Concessions and Assurances. He confessed he had great Fears of *Scotland*, and therefore would undertake for nothing but his own Faithfulness, and Diligence; yet he hoped to get things kept in Agitation all that Summer, so that for that Year there should not be a *Scotish* Army in *England*. But that was the utmost of his Hopes; yet it was much fitter to spin out things as long as could be, than to precipitate them by an over-hasty Rupture: besides, he could not see, how any Hopes could be conceived from that design of Force. There was never a Castle nor Strength in *Scotland* in the Kings Power, to which they might retire. The Vulgar were still at the Ministers devotion, and by late and fresh experience they saw them all as one man resolved to die in the Defence of the Covenant; and any handful of Gentry could be gathered together, would signifie nothing, but to expose their own Throats to their Enemies Rage, and the Kings Authority to their Hatred and Scorn: so there remained no hopes but in the *Highland-men*, which he accounted as good as none. Their two chief Heads were the Marquisses of *Huntley* and *Argyle*; the former was not to be much rested on, being unable to do what so brisk an Undertaking required, and they knew well what to expect from the other. Besides, any Companies could be brought down from the High-lands, might do well enough for a while; but no Order could be expected from them, for as soon as they were loaded with Plunder and Spoil, they would run away home to their Lurking-holes, and desert those who had trusted to them. And after all this, there was a *Scotish* Army in *Ireland*, which was now well trained and disciplined, consisting of ten thousand men, who were for the most part at the Covenanters devotion, and these would be instantly brought over, there being no way to stop their Passage: and it was not to be imagined, that any Body of an Army could be raised in *Scotland* able to resist that Force. Upon these

these Reasons it was, that he not only dissuaded the Queen from consenting to a present Breach, but resisted it as long as was possible; yet he undertook for none but himself, of which he put the Queen frequently in mind, and the utmost of his expectation was to drive off Matters for that Year. And in this both my Lord Traquair and Mr. Murray concurred with him, and desired the whole Matter might be laid before His Majesty, that his Pleasure might be made known about it; but after a few days waiting on the Queen, the Marquis returned back to Scotland.

The Scottish Commissioners continued all this while at Oxford, giving in Papers, and receiving Answers, but advancing nothing; and the last Answer they got from His Majesty the 19<sup>th</sup> of April, containing both the Substance of their Papers, and of His Majesties former Answers, will give a clear account of the Grounds on which His Majesty went. The Paper follows.

*An. 1643.*  
The Commissioners at Oxford get their last Answer.

**I**T is acknowledged by His Majesty, that if any one of the Articles of Treaty had been broken or violated, (as His Majesty doth not so much as see pretended) or any Debate or Difference had risen thereupon, (about which there is now no Dispute) the Commissioners had then been not only warranted, but obliged to have laboured to prevent all Troubles and Divisions, which might arise by such a Breach to the disturbance of the Common Peace, and to remove and compose all such Differences, according to such Power as was granted to them: but till His Majesty be satisfied, that Authority (by some Law) is given to the Commissioners for Consering the Articles of Treaty, to represent His Majesties Native Kingdom of Scotland, in this Offer of Mediating for a desired and blessed Pacification here; His Majesty cannot see how the pious, dutiful, provident or charitable, Concernment of that Kingdom in the Calamities of this, or their Sympathy and sense of the Troubles of their Head, and fellow-Subjects, can interest the Commissioners, any more than any other of His good Subjects of that Kingdom, to bestir themselves in Matters of that kind: or why any such Endeavours should be by any (much less universally) expected from them; so far is he from seeing that any undecidable Necessity constrained them to it. And since the express words of the Act of Pacification it self are, that the Power of the Commission shall be restrained to the Articles of Peace concluded in the Treaty, His Majesty cannot but wonder, whence they can pretend any Obligation or Authority to meddle with, or press him concerning any such Articles, as are not included, but still left dependent, how important soever they suppose them to be, (even to the Common Peace:) And it giving them only liberty to convene to that effect among themselves, or with the Commissioners chosen by His Majesty with consent of the Parliament of England, and restraining them in all their Proceedings to the Power granted to them, in manner aforesaid and no otherwise, as clearly intending to restrain all Power that might be pretended to by any Inferences, Analogies or Consequences (how manifest soever they might appear) and requiring them to consist of the number of Twelve, and not giving them Power to delegate a smaller number; His Majesty cannot consent, That that number the Laws allow not (that is, Three) should address themselves to those the Law hath not appointed them (this is, Both Houses) not only concerning that which the Law intrusted not to them, (as a Pacification here) but even concerning that from which the Law expressly restrains them, that is, one of the Articles of the Treaty no way concluded, or agreed on, but expressly reserved by the Parliament to be considered in due time, that is, in their



An. 1643. *their own time, concerning Church-Government, the intermixture of which with the Civil State, as His Majesty still conceives to be very great, and of very high Concernment; and not to be understood by the Commissioners, who have not the knowledge of the Laws and Policy of this Kingdom; so His Majesty is confident, (notwithstanding the Declaration, and Bill abolishing the Order of Bishops) that if they well knew, how generally any thing of that kind was opposed whilst the Houses continued full, and how the Major part of Both Houses were absent at the passing of that Declaration and Bill, (in so much that His Majesty, is credibly informed, that there were not above five Lords present when the Bill past) and what violent and tumultuous Assemblies had occasioned so great and unusual Absence, they would be confident, as he is, that in a full and peaceable Convention of Parliament, Both Houses will appear to be of the same opinion with His Majesty in this Particular, and to have in that the same thoughts of the Law and Policy of this Kingdom.*

*His Majesties care that the deluge of the Troubles of this Kingdom affect not that with the danger of the like, is very visible to all the World. His Majesty out of His great desire of continuing them in Peace and Tranquillity, not desiring any assistance from them, even for His Own Preservation. And whoever doth desire any Commotion there, to assist their Rebellious and Invasive Armes here, will (He hopes) be lookt upon as the Troublers of Peace, and as Incendiaries labouring to lay foundations of perpetual Hostility betwixt the Two Kingdoms. And then (for ought His Majesty can see) there will be no cause to expect any Commotions there, and such Dangers will rather prove imaginary than real, though the Conservatours of the Treaty contain themselves within their legal and proper Bouds. His Majesty wonders, that since His approbation of their Mediation was desired when His Safe-conduct was asked, and the first was not given, when the latter was, that it should not have been easily seen by these Proceedings of His Majesties, that as He never granted the first, (as seeing no Authority they had for such a Mediation) so He only at last granted the other, as being contented to hear what they could say to Him upon that Point, either as private persons, or to give Him better satisfaction than He could give Himself, what Right they could pretend to any Publick Capacity of that kind: but having heard all they have offered, and not finding any thing that warrants them in this, in any special manner above His Majesties other Subjects, His Majesty cannot with reason admit of any private Persons whatsoever into such a Publick Capacity, nor with His Own Dignity, and that of this Nation, can allow His Subjects of another Kingdom, not authorized by any Law, to make themselves (under the title of a Mediation) Umpires and Arbitrators of the Differences here.*

*For the Calling of a Parliament in Scotland, His Majesty desires to know what Promise of His it is, which they mention Him to have particularly expressed to His late Parliament. The Law which His Majesty then Graciously past concerning that Point, His Majesty well remembers, (and will justly, punctually, and religiously observe it, together with all the rest consented to by Him,) that the Parliament there shall convene upon the first Tuesday of June, 1644. And, according to the same Act, will appoint one betwixt this and that Day, if His Majesty shall think fitting; who as He is by that very Law expressed to be sole Judge of that Convenience, so the Commissioners are neither by that, nor any other Law, entrusted, or enabled to Judge thereof.*

At Oxford, 19<sup>th</sup> of April. 1643.

In

In the beginning of April Reports came to Scotland, that their Commissioners at Oxford were under Restraint; whereupon the Conservators met, and ordered their speedy Return. The Marquis wrote also to the King, that their Return should be by no means stopped, or delayed; otherwise he might expect present Disorders in Scotland: but withall he told him, he apprehended upon their Return, some great Resolution would be taken; therefore he desired His Majesty would send down all the Scottish Lords that were about him, who might by their Votes in Judicatories, or by their Interest in the Country, advance the Kings Service in Scotland. Helikewise desired His Majesty might divide his Trust in Scotland among those Noble persons, whose Fidelity he did not suspect, that thereby both himself might be delivered from the odium, and danger of acting alone in such tender Points, and in that ticklish Time; as also for a further Encouragement of those, who were resolved to adhere to His Majesty: and with this he wrote the following Letter to Her Majesty then at York, under whose Address his Letters to the King were to go.

An. 1643.  
The Commissioners recalled to Scotland.

The Marquis adviseth the King to joyn others with him in publick Trust,

May it please Your Majesty,

There is as yet small or no Alteration in the Condition of Affairs in the Country, since I presumed to trouble Your Majesty last; nor do I believe there will be any till the fourth of May, at which time it is probable, the final Resolution of the Council and Commissioners for Conserving the Articles of the Treaty will be taken. It is still conceived, that His Majesties absent Servants would be of great use at that time; and the uncertain knowledge, if they will come or not, keeps us that are here, from a positive Resolution what Course to take therein; therefore I humbly beseech Your Majesty, let us know if by appearance we may expect them or not.

and writes to the Queen.

There is a general noise, as if the Lord Chancellour and the rest of the Commissioners, were not only kept as Prisoners, but in some further Danger. By Mungo Murray Your Majesty was advertised, that it was conceived fit, that seeing those that sent them had so positively recalled them against the fourth of May, they should be dispatched against that Time. In our opinions there was no Danger now to be apprehended by their Home-coming, but there would arise great Inconveniences if they should be detained: of that same Judgment we continue to be still.

We do likewise humbly intreat, that we may know, if what was proposed to Your Majesty by my Lord of Traquair, Mr. Murray and my self, be come to His Majesties knowledge: and if we may expect the signification of his Pleasure against the fourth of May, in these Particulars, which we exceedingly wish.

By the Lord Montgomery Your Majesty will know, how far the General hath promised his best Endeavours, that His Majesty shall receive no prejudice from the Army under his Command in Ireland; the same he hath confirmed to me with deep Protestations, and truly I take him to be a man of that Honour that he will perform it.

But the Truth is, it will be a Work of great difficulty to keep these Men there any time, seeing there is little appearance that Money will be got from the Parliament of England, and how to raise any considerable Sum here, as yet we see not; so even in this we desire to know Your Majesties Pleasure and Directions, what Course will be fittest to be taken; and if Your Majesty

An. 1643. Majesty shall find it expedient, that we engage our Fortunes for their Supply, many of us will do it to the last Penny, and none more readily than,

Peebles, 21<sup>st</sup> April,  
1643.

May it please Your Majesty,  
the humblest, most faithful, and most  
obedient, of all Your Majesties Servants,

HAMILTON.

The Commis-  
sioners are not  
suffered to go  
to London, and  
returned to  
Scotland.

But at *Oxford* the Commissioners insisted warmly, for a Permission to go to *London* for Mediating; and His Majesty persisting in his Refusal, the Lord Chancellour resolved on making a Protestation, that His Majesty, by not suffering them to go to *Westminster*, had violated the Safe-conduct. My Lord *Lindsay*, who was ordered to come from *London*, and second the Chancellour in this Negotiation, did all he could to divert him from that Resolution; but the other said, he had positive Orders from *Scotland*: he was also peekt with the Petition about the Annurities, and got a great disgust by a Letter of his Ladies, which not coming under a right Cover had been intercepted, and brought to His Majesty, wherein severe things were said against the Kings Cause and Party; and particularly the Marquis was bitterly inveighed against, for having given himself up so intirely to the Kings Service, that he designed the Ruin of all who opposed it. The Chancellour came, and made his last Address to the King, for liberty to enter on a Mediation betwixt Him and the Two Houses: adding, that if that were denyed, he would be constrained to Protest in the Names of them who sent him, that His Majesties Conduct was violated. But the King was not shaken with it, only he took the Chancellour apart, and used many perswasions to divert him from it, and made him great Offers if he would comply with his Desires: for the King apprehended, that it might have precipitated a Breach betwixt Him and *Scotland*. But the Chancellour said, he acted by a Trust committed to him, which he must discharge faithfully, and obey the Orders sent him, from those in whose Name he came; and said much to assure the King, there was no design in *Scotland* to own the Quarrel of the Two Houses against His Majesty, and protested, he should die rather than concur in such Courses. But this did not satisfy His Majesty, whereupon finding the Chancellour could not be wrought upon, his next Attempt was upon *Lindsay*, to whom he spake with more Freedom, and told him in how great a Strait he was; for it seemed, if he refused to allow their going to *Westminster* a Breach might follow betwixt him and his Native Kingdom: but on the other hand, he could not permit them to go, both because of the Reasons he had alledged, and the Fears he had of their engaging with the Parliament; and chiefly, that all his Councillours and Officers at *Oxford* were so far against it, that he heard it was whispered amongst them, that they would all forsake him if he gave them leave, since they held themselves assured that the Design of their going was to bring an Army from *Scotland*: wherefore he intreated *Lindsay* would serve him in that Particular, which he undertook frankly, though he added he had small hopes, since he had already attempted as much as he could with no Success. But as he left His Majesty, he made a Visit in his way to his Lodgings, where he met the Earl of *Crawford*, who told him plainly, That though the King should



should consent to their going to *London*, thither should they never get; *An. 1643.* for a great many were resolved to lie in their way, and cut them all to pieces ere they were many miles from *Oxford*. This he confirmed to him with many Oaths, adding, that as the King knew nothing of it, so it would not be in his power to hinder it; and out of kindness to my Lord *Lindsay*, he advised him not to go, though the Chancellour went. With this *Lindsay* came to his Lodgings, and shewed the Lord Chancellour the hazard, not only their Lives would be in, but of the irreparable Breach would follow upon it; which being considered by them, it was resolved they should pass from their Desires, and crave the Kings Commands for *Scotland*, since they would not offend him by the importunity of an unacceptable Mediation; which they accordingly did, to His Majesties great satisfaction. And so they took leave, the Chancellour with the other Commissioners going for *Scotland*; only *Lindsay* returned to *London*. Upon this His Majesty sent all the *Scotish* Lords, then at Court, to *Scotland* to serve him there, who were the Earls of *Morton*, *Roxburgh*, *Kinnoul*, *Annandale*, *Lanerick*, and *Carnwath*; but before they could be dispatched, he sent Mr. *Murray* to *Scotland* with an account of his opinion about the Services his Friends might do him there; who came by *York*, and brought from the Queen the following Letter to the Marquis, in answer to what he had written to Her Majesty: which (though written in *French*, as all Her private Letters were, yet) I shall set down, translated in *English*, that all may run more smoothly.

Cousin,

I Received your Letter with the assurances of the Continuance of your Affection, of which I hold my self secure, and make no doubt to see both the effects of it, and of that which you promised me at your parting, concerning my Lord of Argyle. Will. Murray came yesterday from *Oxford*: as for News from hence, I refer you to Henry Jermine, who will give you an account of them; I shall only tell you, that the *Scotish* Lords, who were with the King, are on their way for *Scotland*, so likewise are the Commissioners that were with the King. You will know from Will. Murray the Kings Answers, to the Propositions which you made me at *York*. I am very glad to know by Your Letter, as likewise by what my Lord Montgomery hath told me, the Protestations General Lesly makes concerning the Armies in *Ireland*; and now when all the Kings Servants shall be together, you must think of the means for preserving that Army: for my part I know not what to say farther about it, I am now upon my going to the King, and hope to part hence within ten days. If there be any thing that hath occurred of late, I shall be glad to know it, and that you will believe how much I am.

Your affectionate Cousin and Friend,

HENRIETA MARIA R.

An. 1643.

They proceed  
to final Re-  
solutions in  
Scotland.

About the beginning of *May*, *Lowdon* and the other Commissioners came down, and a day after them came the Earl of *Morton*, who told the Marquis, that in a few days he should see the Earls of *Roxburgh*, *Kinnoul*, and *Lanerick*, with the Kings Instructions; but by reason of *Kinnoul's* Infirmary, and *Roxburgh's* Age, they moved slowly. On the 21<sup>th</sup> of *May* the *Junto* of the Church-party moved, that there might be a Joynt-meeting of the Council and Conservatours of the Peace, and Commissioners for Publick Burdens, to consider of the present State of Affairs. The Marquis and *Morton* resisted this all they could, but they were over-ruled, and so these Judicatories met: to them it was proposed, that considering the hazard the Nation was in, by reason of Armies, which were now levying in the North of *England*, there was a necessity of putting the Kingdom in a posture of Defence, which could not be done without a Convention of Estates or a Parliament; wherefore it was moved, that a Convention of Estates should be presently called. The Marquis argued much against it, shewing that this was to encroach upon the Kings Prerogative in the highest degree, and so would be a direct Breach of the Peace with the King, and against the Laws of the Land; adding, Was this all the Acknowledgment they gave the King for his late Gracious Concessions, for this struck at the root of his Power? In this he was seconded by my Lord *Morton*, but most vigorously by Sir *Thomas Hope* the Kings Advocate, who debated against it so fully, from all the Laws and constant Practice of *Scotland*, that no Answer could be alledged; and indeed discharged his Duty so faithfully, that the Marquis forgave him all former errors for that dayes Service. But it was in vain to argue, where the Resolution was taken on Interest more than Reason; so it was carried, that the Lord Chancellor should summon a Convention of Estates against the 22<sup>th</sup> of *June*.

A Convention  
of Estates is  
called.

This Resolution being taken, they gave Advertisement of it to the King in the following Letter, which all who Voted against it refused to sign.

Most Dread Sovereign,

**T**He extreme necessity of the Army, sent from this Kingdom by Order from Your Majesty and the Parliament here, against the Rebellion in Ireland; the want of means for their necessary Supply, through the not payment of the Arrears and Maintenance due to them by the Parliament of England; the delay of the Payment of the Brotherly Assistance, so necessary for the relief of the Common Burdens of this Kingdom, by reason of the unhappy Distractions in England, and the sense of the danger of Religion, of Your Majesties Royal Person, and of the Common Peace of Your Kingdoms, have moved Your Majesties Privy Council, the Commissioners for conserving the Peace and Common Burdens, to joyn together in a Common Meeting, for acquitting our selves in the Trust committed to us by Your Majesty and the Estates of Parliament; and having found after long Debate, and mature Deliberation, that the Matters before-mentioned are of so Publick Concernment, of so deep Importance, and so great Weight, that they cannot be determined by us, in such a way, and with such hope of Success, as may give satisfaction to Your Majesty, serve for the good of this Your Majesties Kingdom, and as may make us answerable to the Trust committed to us by Your Majesties Parliament; We have been constrained to crave the advice and resolution of a Convention of the Estates to meet June 22<sup>th</sup>, which, as according

to the obligation and duty of our Places we are bound to shew Your Majesty, An. 1643. so do we humbly intreat, that against the Time agreed upon by Common Consent, Your Majesty may be Graciously pleased to acquaint us with Your Pleasure and Commandments, that Matters may be so determined, as may most serve for the Honour of God, Your Majesties Service, and Well of Your Kingdomes; which now is, and ever shall be, the earnest desire and constant endeavour of

Edinburgh 12<sup>th</sup> May  
1643.

Your Majesties faithful and humble  
Subjects and Servants,

Lowdon Cancellarius,

Leven*	Yester	T. Myrton	J. Home	Edward Edgar*
Argyle	Burghley	Tho. Hope	T. Wauchop	J. Binny
Castilis	Balcarres	A. Johnstoun	T. Raffrerland	W. Glendonning
Dalhousfy	Gibson-	T. Hepburne	T. Bruce	Hugh Kennedy
Lauderdale	Dury	J. Hamilton	J. Smith	G. Gourdon
Balmerino				

Three dayes after this came the Lords who were sent down, who being all met, *Lanerick* delivered the following Instructions from His Majesty.

CHARLES R.

Instructions to Our Right Trusty and Well-beloved Cousins and Councillours, *James Marquis of Hamilton, William Earl of Glencairn, Robert Earl of Roxburgh, George Earl of Kin- noule, David Earl of Southesk, William Earl of Lanerick.*

Instructions  
for the Lords  
that were  
trusted by  
His Majesty.

**T**hat you endeavour by all fair and lawfull Means to prevent Division among Our Subjects in Scotland. I.

That you give all the Assurances in Our Name which can be desired, of Our Resolution to preserve inviolably the Government of that Kingdom, as it is now established by Assemblies and Parliaments. II.

That you take what Courses you shall think most fit, for causing Print and Publish, either in Scotland or at York, Our Declaration which We now send with you to that Our Kingdome, and all such other Papers as We shall hereafter send thither, or which you shall conceive may conduce to the good of Our Service; and for that purpose, make use of such Blanks as We have thought fit to entrust you with. III.

That seeing We perceived by Pickering's Letters, Our Two Houses of Parliament intend to send Commissioners or Agents to Scotland, you shall endeavour by all fair Means, to hinder any of Our Judicatories to Treat with them, and for that purpose make use of any of the foresaid Blanks. IV.

That seeing We conceive it would exceedingly conduce to the good of Our Service, that the Lords of Session would explain the Commission granted by Us and Our Parliament to the Conservatours of the Treaty, you shall for that purpose likewise make use of the foresaid Blanks, either to them all in general,



An. 1643. ral, or to such of them in particular as you shall think most fit.

- V I. That you endeavour to binder the liberty which ( possibly ) Ministers may take to themselves in the Pulpits, of Censuring Our Actions, or stirring up the People against Us, and to that purpose make use of the said Blanks to the Council or Commissioners of the Assembly, as you shall think necessary.
- V II. That in case you apprehend any danger to Our Service from the Return of the Scottish Army in Ireland, you shall declare Our readines, to contribute any thing which is in Our Power for the Maintenance thereof, even to the Engaging of Our Revenues in Scotland, for raising Moneys to be so employed; and to that end you shall make use of the foresaid Blanks.
- V III. If you shall find it necessary, you shall likewise make use of some of the Blanks to the Council, declaring expressly Our Pleasure, That that Army shall not be recalled until We be acquainted therewith, and to the Earl of Leven, discharging him to obey any Orders whatsoever for that end, until he know Our further Pleasure.
- I X. If you shall find it necessary, you shall make use of some Blanks to Our Council, recalling all former Commissions which have been granted, for Levying and Transporting of Men out of that Kingdom over to France or Holland.
- X. You shall make use of these Blanks to some of Our Council and Exchequer, for discharging the Arrears, and disposing a plenary Right of the Annuities to those particular persons that have Petitioned Us thereabout, and to surcease all execution against all others until the 31<sup>th</sup> day of August next.
- X I. You shall make use of these Blanks to such of Our Council and others, as you shall find fit, for encouraging them to attend the Meetings of Our Council, and to continue the Testimonies of their Affection to Our Service, with assurance of Our Resentment thereof.
- X II. We do hereby authorize Our Secretary the Earl of Lanerick, by your Advices to fill up these Blanks, and to Sign them with Our Court-Signet; and for his and your so doing, this shall be your Warrant.

From Oxford the 21<sup>th</sup> April

C. R.

I 6 4 3.

Besides this, Lanerick told that it was the Kings positive Pleasure, that the first Breach should not come from his Party; but they should draw out things as long as was possible, before they hazarded on a Rupture.

As for the Kings Declaration, the first draught whereof is extant, marked and corrected by the Kings Hand, it being so home and clear, though very long, I shall not contract it, but set it down at length.

An. 1643.

## His Majesties Declaration to all his loving Subjects in His Kingdom of Scotland.

CHARLES R.

**A**S there hath been no mean left unattempted which the malice and wit of Rebellion could devise, to infect and poyson the Affections and Loyalty of Our good Subjects of Our Kingdom of England, and to withdraw their Hearts from Us by the most pernicious and desperate Calumnies, that could be invented to under-value and lessen Our Reputation with Foreign Princes, by Injuries and Affronts upon their Publick Ministers, and by presuming to send Agents qualified for Negotiation without Our Consent, and in truth, to expose Us, and Our Royal Authority to Scorn and Contempt, by assuming a Power over Us; so the pernicious Contrivers of these bloody Distempers have not delighted in any Art more than in that, by which they have hoped to stir up Our good Subjects of that Our Native Kingdome of Scotland to joyn with them, and to infuse in them a jealousie and disesteem of Our true Affection, and Our Gracious Intentions towards that Nation. To this purpose they have used great Industry to convey into that Our Kingdom, and to scatter and disperse there divers Seditious Pamphlets, framed and contrived against Our Person and Government, and have sent Agents of their own to reside there; and to promote their Designs, one of whom lately resident there, one Pickering, by his Letters of the 9<sup>th</sup> of January to Mr. Pym, assures him of the Concurrence of that Kingdom, and that the Ministers in their Pulpits, do in downright terms press the Taking up of Arms, and in another of his Letters to Sir John Clotworthy, says, that the Trumpet sounded to the Battel, and all cryed, Arm, Arm, with many other bold, scandalous, and seditious Passages, very derogatory from the Duty and Affection, which We are most confident Our good Subjects of that Our Native Kingdom bear to Us. To this purpose they traduce Us with raising and making War against Our Parliament, of having an Army of Papists, and favouring that Religion; of endeavouring to take away the Liberty and Property of Our Subjects: and upon these grounds they have presumed by a Publick Declaration to invite Our good Subjects of Our Kingdom of Scotland to joyn with them, and to take up Arms against Us their Natural Liege Lord. Lastly, to this purpose they endeavour, as well in Publick as by secret Insinuations, to beget an apprehension in them, that if We prevail so far here, as by the blessing of God to preserve Our self from the Ruine they have designed to Us, the same will have a dangerous influence upon that Our Kingdom of Scotland, and the Peace established there; and that Our good Laws lately established by Us for the Happiness and Welfare of that Our Native Kingdom will be no longer observed, and maintained by Us, than the same Necessity, which they say extorted them from Us, hangs upon Us, but that We will turn all our Forces against them: a Calumny so groundlesly and impiously raised, that if We were in any degree conscious to Our Self of such wicked Intentions, We should not only not expect a dutiful Sense, in that Our Native Kingdom, of Our Sufferings; but should think Our Selves unworthy of so great Blessings, and eminent Protection as We have received from the hands of the Almighty, to whom We know

We

An. 1643. We must yield a dear Account for any Breach of Trust, or failing of Our Duty toward Our People.

But as We have taken special Care, from time to time to inform Our good Subjects of that Our Native Kingdom of the Occurrences here, particularly by Our Declaration of the 12<sup>th</sup> of August, wherein is a clear, plain Narration of the beginning and progress of Our Sufferings to that time; so the bold and unwarranted Proceedings of these Desperate Incendiaries, have been so publick to the World, that Our good Subjects of Scotland could not but take notice of them, and have observed, that after We had freely and voluntarily consented to so many Acts of Parliament, as not only repaired all former Grievances, but also added whatsoever was proposed to Us, for the future benefit and security of Our Subjects, insomuch as in truth there wanted nothing to make the Nation compleatly Happy, but a just sense of their own excellent Condition, a few discontented, ambitious, and factious Persons so far prevailed over the Weakness of others, that instead of receiving that return of Thanks and Acknowledgment, which We expected and deserved, Our People were poisoned with Seditious and Scandalous Fears and Jealousies concerning Us; We were encountered with more unreasonable, and importunate Demands, and at last were driven through Force and Tumults to flee from Our City of London, for the Safety of Our Life. After which We were still pursued with unheard-of Insolences and Indignities, and such Members of either House as refused to joyn in these unjustifiable Resolutions, were driven from these Councils, contrary to the Freedom and Liberty of Parliament, insomuch that above four parts of five of that Assembly was likewise forced, and are still kept from thence; Our Forts, Towns, Ships and Arms, were taken from Us, Our Money, Rents, and Revenue seized and detained; and that then a powerful, and formidable Army was raised, and conducted against Us, (a good part of which was raised and mustered, before We had given Our Commissions for Raising one Man) that all this time We never deny'd any one thing, but what by the known Law was unquestionably Our Own; That We earnestly desired and pressed a Treaty, that so We might but know at what price We might prevent the Miseries and Desolation that were threatned; That this was absolutely and scornfully refused and rejected, and We compelled with the assistance of such of Our good Subjects as came to Our Succour, to make use of Our Defensive Arms for the Safety of Our Life, and Preservation of Our Posterity. What passed since that, Battel hath been given Us, Our Own Person and Our Children endeavoured to be destroyed, those unheard-of Pressures have been exercised upon Our poor Subjects by Rapine, Plundering, and Imprisonment, and that Confusion which is since brought upon the whole excellent Frame of the Government of this Kingdom, is the Discourse of Christendom. We are very far from making a War with, or against Our Parliament, of which We Our Selves are an essential part: Our principal Quarrel is for the Priviledges of Parliament, as well those of the Two Houses as Our Own; if a few Persons had not, by Arts and Force, first awed, and then driven away the rest, these Differences had never arisen, much less had they ever come to so bloody a Decision. We have often accused these Persons against whom Our Quarrel is, and desired to bring them to no other Trial than that of the Law of the Land, by which they ought to be tried. As We have been compelled to take up these Defensive Arms for the Safety of Our Life, assaulted by Rebellious Arms, the Defence of the true Reformed Protestant Religion, scornfully invaded by Brownists, Anabaptists, and other Independent Sectaries, (who in truth are



are the principal Authors, and sole Fomenters of this unnatural Civil War ) *An. 1643.*  
 for the Maintenance of the Liberty and Property of the Subjects, maliciously violated by a vast unlimited Arbitrary Power, and for the Preservation of the Right, Dignity, and Priviledges of Parliament, almost destroyed by Tumults and Faction : so what hath by Violence been taken from Us, being restored, and the Freedom of Meeting in Parliament being secured, We have lately offered ( though We have not been thought worthy of an Answer ) to Disband Our Army, and leave all Differences to the Tryal of a full and peaceable Convention in Parliament, and We cannot from Our Soul desire any Blessing from Heaven more, than We do a peaceable and happy End of these unnatural Distractions.

For the malicious groundless aspersion of having an Army of Papists; though in the Condition and Strait to which We are brought, no man had reason to wonder if we received assistance from any of Our Subjects of what Religion soever, who by the Laws of the Land are bound to perform all offices of Duty and Allegiance to Us; yet it is well known, that We took all possible Care, by Our Proclamations, to inhibit any of that Religion to repair to us, which was precisely and strictly observed ( notwithstanding even all that time We were traduced as being attended by none but Papists, wken in a Month together there hath not been one Papist near Our Court ) though great numbers of that Religion have been with great alacrity entertained in that Rebellious Army against Us, and others have been seduced, to whom We had formerly denied Employment, as appears by the examination of many Prisoners, of whom We have taken Twenty and Thirty at a time, of one Troop or Company, of that Religion. What Our Opinion is of that Religion, Our frequent Solemn Protestations before Almighty God, who knows Our Heart, do manifest to the World; And what Our Practice is in Religion, is not unknown to Our good Subjects of that Our Native Kingdom. And as We have omitted no way, Our Conscience and Understanding could suggest, to be for the promoting and advancing the Protestant Religion; so We have professed Our readiness in a full and peaceable Convention of Parliament, to consent to whatsoever shall be proposed by Bill, for the better Discovery and speedier Conviction of Recusants, for the Education of the Children of Papists by Protestants in the Protestant Religion, for the prevention of the Practices of Papists against the State, and the due Execution of the Laws, and true Levying of Penalties against them; so We shall further embrace any just Christian Means to Suppress Popery in all Our Dominions, of which Inclination and Resolution of Ours, that Our Native Kingdom hath received good evidence.

For the other malicious and wicked Insinuations, that Our Success here upon the Rebellious Armies raised to destroy Us, will have an influence upon Our Kingdom of Scotland, and that We will endeavour to get loose from those wholesome Laws which have been enacted by Us there, We can say no more, but Our good Subjects of that Kingdom well remember, with what Deliberation, Our Self being present at all the Debates, We consented to these Acts: and We do assure Our Subjects there, and call God Almighty to witness of the uprightness and resolution of Our Heart in that point, that We shall always use Our utmost Endeavours, to defend and maintain the Rights and Liberties of that Our Native Kingdom, according to the Laws established there, and shall no longer look for Obedience, than We shall govern by the Laws. And We hope that Our zeal and carriage, only in Defence of the Laws and Government of this Kingdom, and the subjecting Our Self to so great hazard and danger, will

be

An. 1643. be no argument, that when the Work is done, We would pass through the same Difficulties to alter, and invade the Constitutions of that Our other Kingdom. We find disadvantages enough to struggle with in the Defence of the most upright, innocent, just Cause of Taking up Arms; and therefore, if We wanted the Conscience, we cannot the Discretion to tempt God in an unjust Quarrel. The Laws of Our Kingdom shall be always Sacred to Us; We shall refuse no hazard to defend them, but sure We shall run none to invade them.

And therefore We do conjure all Our good Subjects of that Our Native Kingdom, by the long happy and uninterrupted Government of Us, and Our Royal Progenitors over them, by the Memory of those many large and publick Blessings they enjoyed under Our dear Father, by those ample Favours and Benefits they have received from Us, by their Own Solemn National Covenant, and their Obligation of Friendship and Brotherhood with the Kingdom of England, not to suffer themselves to be misled and corrupted in their Affections and Duty to Us, by the cunning Malice and Industry of those Incendiaries and their Adherents, but to resist and look upon them, as Persons who would involve them in their Guilt, and sacrifice the Honour, Fidelity and Allegiance, of that Our Native Kingdom, to their private Ends and Ambition. And We require Our good Subjects there, to consider that the Persons, who have contrived, fomented, and do still maintain these bloody Distractions, and this unnatural Civil War, what pretence so ever they make of their Care of the true Reformed Protestant Religion, are in truth Brownists and Anabaptists and other Independent Sectaries; and though they seem to desire an Uniformity of Church-Government with Our Kingdom of Scotland, do no more intend, and are so far from allowing the Church-Government by Law established there (or indeed any Church-Government whatsoever) as they are from consenting to the Episcopal: and We cannot but expect a greater sense of Our Sufferings, since the obligations We have laid on that Our Native Kingdom, are used as arguments against Us here, and Our free consenting to some Acts of Grace and Favour there (which were asked of Us by reason of Our necessary residence from thence) have encouraged ill-affected Persons, to endeavour by Force to obtain the same here where We usually reside. To conclude, We cannot think that Our good Subjects there will so far hearken to the Treason and Malice of Our Enemies, as to interrupt their own present Peace and Happiness; and God so deal with Us and Our posterity, as We shall inviolably observe the Laws and Statutes of that Our Native Kingdom, and the Protestations We have so often made, for the Defence of the true Reformed Protestant Religion, the Laws of the Land, and the just Privileges and Freedom of Parliaments.

The King  
sends the Mar-  
quis a Patent  
to be Duke.

With these Publick Orders His Majesty also sent the Marquis a Patent to be a Duke, as a recompence of the great Services he was then doing and had formerly done him.

The Lords  
pursued as In-  
cendiaries.

Scarce were these Lords come to Scotland when one Walden an Agent sent from the Two Houses to Scotland, upon the pretence of the Treaty about Ireland, gave in a Complaint to the Council against them, on the account of a Letter that was intercepted, signed by them all at Latham the Earl of Darby's House in Lancashire, where they were as they came down; in which they gave the Queen some Informations and Advices about the State of the Kings Affairs in that County. This was charged on them as Incendiarism, and Walden desired liberty to pursue them on that

that Head, whereupon they first drew some Defences: but because *An. 1643.* these would have been found more guilty of the alledged fault than the Letter it self, they being made up of a Justification of the Kings Armes in *England*, they answered this Complaint by a Petition, wherein they declared, they had never instigated the King into a Breach with his Two Houses, and that there was nothing on earth they desired more earnestly than to see a happy Settlement betwixt them; therefore they intreated, that no Misrepresentations might be received, or listened to against them. The Church-party saw, this would be a good way to be rid of the Trouble and Opposition they feared from these Lords, and refore cherished *Walden's* Motion; but they were told, that they could not fix any Censure on that Matter, without judging of the whole Business; for if the Kings Quarrel was just, those Lords acted as became faithful Subjects, whatever might be in that, none in *England* could challenge them, for Serving him in it, till themselves had declared against it, which was not yet done. The force of this Reasoning constrained them against their Hearts, to yield much more than the Authority of the Kings Commands, who having got notice of it from the Earl of *Lindsay*, wrote down to *Scotland*, peremptorily commanding them to desist from any such pursuit if it were begun; requiring also his Advocate to appear for them in His Majesties Name if they were pursued.

The Earl of *Lanerick* wrote to the King what follows.

May it please Your Majesty,

I Shall here Humbly presume to let Your Majesty know, that before any of Your Scottish Servants, who lately parted with Your Majesty at Oxford, *Lanerick's account of Affairs to His Majesty.* could possibly come hither, the Chancellour had made his Report to the Council and Conservatours of the Treaty, and Mr. Henderson to the Commissioners of the General Assembly, of their Employments to Your Majesty, where Your Answers to their Desires were found not satisfactory, and thereafter Your Majesties Council, Commissioners for the Treaty and Common Burdens, having joyned together for giving of Security, for such Moneys as should be levied, for the Maintenance of Your Majesties Scottish Army in Ireland, they thought fit (without admitting of any delay until Your Majesties Pleasure were known) to call a Convention of the Estates, as their several Acts and Proclamations to that effect (here inclosed) will more particularly shew Your Majesty.

And for the present Your Majesties Servants, who came lately hither, having only met with three or four of those whom Your Majesty appointed them to consult with, have thought fit to advise with some others of the same Affection and Forwardness to Your Majesties Service, before they presume to give Your Majesty any Advice upon the present Occasions, being matters of so great Weight, and so highly concerning Your Majesties Service: but they have taken the readiest and most speedy Course they can think upon, for Meeting and Consulting with them; and thereafter are immediately to return hither, from whence they will with all diligence offer unto Your Majesty their humble Opinion. In the mean time I have dispatched Your Majesties Letters to such Noblemen and Burroughs, as Your Majesty was pleased to direct me, shewing Your Resolution of preserving here what you have been pleased so Graciously to establish in Church and State, not having been able to deliver Your Majesties

G g

Let-



An. 1643. Letter to Your Council, who were dissolved before my coming, and my Lord Chancellour is gone out of Town, without whose Appointment there can be no extraordinary Meeting; so that I believe Your Majesties Gracious Declaration to Your Scottish Subjects cannot be published before that time; nor till then can I be able to give Your Majesty any further account of Your Affairs here, though in the mean time I shall study to serve Your Majesty faithfully, according to the Duty of Your Majesties

Edinburgh, 18<sup>th</sup> May.

I 6 4 3.

Most humble and most  
faithful, and most obedient  
Subject and Servant,

LANERICK.

The Lords  
consult what  
to advise His  
Majesty.

In the end of May, there was a Meeting of about thirty Noblemen, where these two Questions were proposed; First, if it were fit for the Kings Service that the Convention should be suffered to hold; Next, if it held, whether those who were well-affected to the Kings Service should sit in it. There were three or four Days spent in debating upon these Heads: some moved, that since by the calling of this Convention the other Party had so far encroached upon the King, they should presently break with them: this Motion came chiefly from other Lords, who would not come to that Meeting. But it was answered that the King, as he would not give Commissions for raising an Army in England, till he knew the Parliament had first done it on their side; so it was his positive Pleasure that his Party should not make the first Breach, which the King judged so much for his Honour, that no Consideration could move him to dispense with it: yet these who made that Proposition, were desired to lay down ways, how it could be made effectual, since it was Madness, and not Courage, to hazard the Ruine of the Kings Service and Friends, without at least a likelihood of being able to carry it through with some Success.

All things being examined, it was concluded that the following Message should be sent to His Majesty, which was set down in a Paper, dated the 5<sup>th</sup> of June; but because of the War in England, they committed it verbally to a Trusty Bearer, lest it had been intercepted.

A Convention was indicted by the Chancellour, and such others of the Council as have signed His Majesties Letter thereabout, with the Advice and Concurrence of the Committees for conserving the Treaty and Common Burdens to be kept at Edinburgh the 22<sup>th</sup> of June: whereby it is conceived His Majesty suffers exceedingly in His Regal Authority, in the Calling thereof without his Special Warrant. A Proclamation for the Indicting thereof is likewise issued forth in His Majesties Name, expressing a danger to Religion, His Majesties Person, and the Peace of this Kingdom, from Papists in Arms in England, which in that appears to be contrary to His late Declaration sent to Scotland.

Hereupon divers Noblemen and Gentlemen well-affected to His Majesties Service met at Edinburgh, and after three or four days Debate, considering the exigency of Time, the present posture of Affairs, and the disposition and inclination of the People of this Country, did not conceive it fitting, that His Majesty should absolutely discharge that Meeting, (which certainly would be kept

kept notwithstanding of any Discharge from Him, which would both bring His An. 1643<sup>d</sup> Authority in greater Contempt, and lose more of the Affections of the People, whereby the Power of His Majesties Servants would be lessened) but rather that His Majesty should so far take notice of the Illegal Calling thereof, and His Own Suffering thereby, that the same remaining upon Record may be an evidence to Posterity, that this Act of theirs can infer no such Precedent for the like in the future; but afterwards His Majesty, or His Successors, may Legally question the same. And that His Majesties Servants here may be better enabled, and strengthened with the assistance of others of His Majesties faithful Subjects, who truly and really intend nothing but the Security of Religion as it is here established, and are altogether averse from and against the Raising of Arms, or Bringing over the Scottish Army in Ireland, whereby His Majesties Affairs, or their own Peace may be disturbed, they conceive it fit, that His Majesty should permit this Convention to Treat, and conclude upon such Particulars, as may secure their Fears from any danger of Religion at home, without interressing themselves in the Government of the Church of England. And in respect that the Two Houses of Parliament have not sent Supplies for Entertaining the Scottish Army in Ireland, whereby they may have some colour or ground for recalling them, it is conceived necessary, that this Convention should have a Power from His Majesty, to advise and resolve upon all fair and Legal wayes for Entertaining the said Army still in Ireland, and for recovering payment of the Brotherly Assistance: providing always, that in the doing thereof no Resolution be taken for Levying of Forces, or doing any Act, whereby this Kingdom, or any part thereof, may be put in a posture of War, or under any pretence to bring over the Scottish Army in Ireland, or any part thereof, without special Warrant from His Majesty; wherewith if such as shall meet at this Convention rest not satisfied, His Majesties Servants here are resolved to Protest, and adhere to these Grounds, and to oppose all other derogatory to His Majesties Authority, or prejudicial to His Service.

The Duke by the same Bearer wrote to Mr. *Jermine*, since Earl of *St. Albans*, what follows, which is set down to shew how far he was from abusing their Majesties, or any about them, with hopes of a good issue of Affairs in Scotland.

Noble Friend,

There is so much said to this Bearer by word and in writing that I shall add but little thereto; only this, which I have often said, Time is precious, and would not be lost while we are quiet: how long that will be, for my own part I cannot tell, so many unhappy Accidents have intervened of late that His Majesties Service is much prejudiced thereby; I mean not so much your Misfortune at Wakefield, as other Particulars which you will be informed of. Howsoever think not that I am discouraged, for never was Man more resolute to oppose all that shall endeavour the Dis-service of the King than I am, and there are considerable men in this Country of the same mind. But I ever feared our want of Power, and never more than now; Resolution we want not, but Means how to put that in execution: and therefore I say, build no confidence, but that you may receive great Prejudice from hence, notwithstanding all we can be able to do, which will be as much as you can expect from Men of Honour, so deeply ingaged as we are. Having thus freely expressed my thoughts to you, it is easie to conjecture, what Advice I would give; you are Judicious, and so I shall

The Duke apprehends the Ruine of the Kings Affairs in Scotland.

*An. 1643. conclude in a word, Lose no Opportunity that is offered to end your business, either by one means or other, and esteem of me as*

Holyrood House  
June 5<sup>th</sup> 1643:

Your most obliged Friend,  
and humble Servant,

HAMILTON.

He wrote also the following Letter to Her Majesty.

May it please Your Majesty,

And ad-  
vertises the Queen  
of his fears.

I Had not presumed to have troubled Your Majesty with any thing from me, if Your Letter I received from Mr. Murray had not encouraged me to hope for Your Majesties Pardon; I shall then humbly beg, this may rather be believed an effect of Obedience than Boldness.

Upon Tuesday last I delivered to His Majesties Council a Letter from Him to them, wherein was inclosed a Declaration to His Scottish Subjects, which was unanimously appointed to be Printed and Published: but the Letter they have written in Answer to His Majesty (a Copy whereof I have presumed to send Your Majesty) did receive great opposition, and with difficulty was carried.

Since there hath been no Publick Meeting, but it is like there will be one appointed upon Wednesday next, where they that came last from His Majesty are to be accused as Incendiaries.

The great Offers are to be made from the Two Houses of Parliament, are like to work much upon the Affections of this Country, being seconded with an alledged hazard to Religion and Government from Papiſts, pretended to be in Armes in England and Ireland; a popular (though groundless) Inducement for taking Arms in this Kingdom; to which though many Noblemen (and divers of the Gentry) have hitherto been averſe, yet I both doubt the Continuance of their Resolutions, and the Power of these few who must and will oppose it. The Authority the other Party receives from the Judicatories, the absolute Power they have of the Magazines and Ammunition, the popular Pretences they have of a danger to Religion and Liberty, gives them so great advantages, that I cannot but apprehend great Disservice to His Majesty from hence, if the Differences betwixt Him and His people of England be not quickly decided either by Treaty or Force.

The Resolutions about the Convention of the States, of such well-affected Noblemen and Gentlemen as are accidentally now in Edinburgh, Your Majesty will know from the Bearer, the Particulars being of that nature, as are not without hazard to His Majesties Service to be trusted to Paper, by,

May it please Your Majesty,  
the humblest and faithfullest  
of all Your Servants,

HAMILTON.

To





An. 1643.

To which Her Majesty wrote the following Answer.

Cousin,

**I** Received your Letter, and have given an Account to the King of what you tell Me. I hope the Kings faithful Servants shall be so much the more firm to His Service, that the wickedness of others appears, and will by their Care and Diligence prevent the Malice of others. We had here a mischance in one of Our Quarters, by the negligence of Our People; the greatest loss We have had is known, yet We are not at all discouraged, and hope quickly to have a Revenge. Our Army consists (without reckoning the Garrisons) of seven thousand Foot, and 69 Troops of Horse, besides My two Regiments, so that for all Our mischance We are in no ill Condition. I have News from the King, that His Army is as strong as Essex's, and that Essex dares not advance. The King hath sent Prince Maurice to the West with 2000 Horse and a thousand Foot; the Gentlemen of the West have promised to raise an Army of 10000 Men in six Weeks, so that I can assure you all Our Affairs go well. And from France (except the Death of the King My Brother) I have very good News, as likewise from Denmark. If the King does not press me to go to Him quickly, I hope to see Leeds taken before I part. You will give a share of these News to all Our Friends, if any dare own themselves such, after the House of Commons hath declared Me Traytor, and carried up their Charge against Me to the Lords. This I assure you is true, but I know not yet what the Lords have done upon it. God forgive them for their Rebellion, as I assure you I forgive them from my Heart for what they do against Me, and shall ever continue, as I have promised,

The Queen  
writes to the  
Duke.

Your affectionate Cousin  
and Friend,

HENRIETTA MARIA R.

To this he returned the following Letter.

May it please Your Majesty,

**I** Shall not presume to take up much of Your Majesties Time with reading Particulars, they being so well known to this faithful Bearer: therefore I shall only in the general crave liberty to say, that though the State of Affairs here be far otherwise than I could wish; yet I was never so hopeful as at this present, that no Forces will come from hence this Summer into England, to

The Dukes  
Answer to Her  
Majesty.

di-

*An. 1643. disturb His Majesties Affairs. Yet no Means ought to be neglected in preparing to oppose them, (lest they should do otherwise,) nor shall I fail to do the same (whatever Malice may whisper to the contrary) with all the Power I have, and as freely venture both Life and Fortune in that, as any living shall. So I humbly beseech Your Majesty to believe, that not only in this, but in all which doth concern His Majesties Service, my part shall be such as I have promised, and as becometh*

Holyrood House  
10<sup>th</sup> June.

The Humblest, most Faithful,  
and most Obedient of all  
Your Majesties Servants,

HAMILTON.

The King, having received the Letter of Advertisement concerning the Convention, wrote down the following Answer about it.

CHARLES R.

The Kings  
Letter about  
the Conventi-  
on to the  
Council,

**R**ight Trusty and Right well-beloved Cousins and Concellours, and Right Trusty and well-beloved Concellours, We Greet you well.

We are much surprized at Your Letter of the 12<sup>th</sup> of this Moneth, whereby it seems you have given order for the Calling of a Convention of the Estates of that Our Kingdom without Our Privy or Authority: which, as it is a business We see no reason for at present, and that hath never been done before but in the Minority of the Kings of Scotland, without their Consent; so We cannot by any means approve of it, and therefore We command you to take order that there be no such Meeting, till you give Us full satisfaction of the Reasons for it.

Given at Our Court at Oxford  
22<sup>th</sup> of May 1643.

With this he wrote another to the Earl of Lanerick, which follows.

CHARLES R.

and to Lan-  
rick.

**R**ight Trusty, and Right well-beloved Cousin and Concellour, We Greet you well.

We have herewith sent you Copies not only of the Letters We lately received from Scotland, but also of Our several Letters to Our Chancellour and Council there, the Originals whereof We leave to your Discretion, to deliver and make use of as you shall find best for Our Advantage: but for the Business it self, We have heretofore so fully declared to you Our Own Opinion therein, as We need say no more of that Subject to you.

We observe in the Letter to Us, that there are but eleven Concellours Names to it, and that none of those that are best-affected have subscribed it; and We find that as great, or a greater number of Concellours, Persons of great Quality, Place, and Trust, have not subscribed to it.

Given at Our Court at Oxford  
22<sup>th</sup> of May 1643

Upon

Upon what had past, the Lords whom His Majesty had trusted, resolved to keep up this Letter to the Council, till a return came of the Message they had sent to His Majesty. But a few days after that Letter was written, the Earl of *Lindsay* came from *London* to *Oxford*, to receive the Kings Commands for *Scotland*; to which he was required to go, and sit in the Convention of Estates then Summoned. His Majesty asked his Advice, whether He should give way to its Sitting or not: but he answered, as he durst not advise His Authorizing of it; so on the other hand, he might consider if it was like, that they who had called it without His Warrant, would desert it upon His Prohibition; and if His Majesty thought fit to discharge it, he would weigh well, what the hazard might be of their Sitting against His Pleasure. All this being considered by His Majesty, He wrote by him the following Letter to My Lord *Lanerick*.

An. 1643.

The Earl of Lindsay is with the King.

CHARLES R.

**R**ight Trusty, and Right well-beloved Cousin and Councillour, We Greet you well.

The Earl of *Lindsay* coming hither from *London*, hath assured Us, that the Cause of the Two Houses sending into *Scotland*, to have the Lords that went hence sequestred, was, the Intercepting of their Letter sent to Our Dearest Consort, the Queen, and nothing else.

We perceive by the Copy of the Resolutions you sent Us, with what Prudence, and Loyal Courage, your Brother *Hamilton* and the Lord Advocate opposed at Council there, the Order for Calling a Convention of the Estates for which We would have you to give them Our particular Thanks. You and others of Our Council there, know well, how injurious the Calling of a Convention of Estates without Our Consent, is to Our Honour and Dignity Royal; and as it imports Us, so We desire all Our well-affected Servants to hinder it what they may; but shall leave it to them, to take therein such Course, as they shall there upon advice conceive best, without prescribing any way, or giving any particular Directions. If notwithstanding Our Refusal, and the endeavours of Our well-affected Subjects and Servants to hinder it, there shall be a Convention of the Estates, then We wish that all those who are right-affected to Us, should be present at it; but to do nothing there, but only Protest against their Meeting and Actions. We have so fully instructed this Bearer, that for all other Matters We shall refer you to his Relation, whereto We would have you to give credit.

Given at our Court at *Oxford* the  
29<sup>th</sup> of May 1643.

But His Majesty, having after that received the Advice sent him from *Scotland*, and His own Thoughts agreeing with it, did on the 10<sup>th</sup> of *June* write the following Letter, to be presented to the Convention.

CHARLES R.

**R**ight Trusty, and well-beloved Cousins and Councillours, &c.  
We have received a Letter dated the 22<sup>th</sup> of May, and Signed by some

The Kings Letter to the Convention of Estates.



An. 1643. some of Our Council, some of the Commissioners for Conserving the Articles of the late Treaty, and of the Commissioners for the Common Burdens: and though it seem strange unto Us, that those Committees should Sign in an equal Power with Our Council, especially about that which is so absolutely without the limits of their Commissions; yet We were more surprized with the Conclusions taken at their Meetings, of Calling a Convention of the Estates without Our special Warrant, wherein Our Royal Power and Authority is so highly concerned, as that We cannot pass by the same, without expressing how sensible We are of so Unwarrantable a way of Proceeding; and if We did not prefer to Our Own unquestionable Right the Preservation of the present happy Peace within that Our Kingdom, no other Consideration could move Us to pass by the just Resentment of Our Own Interest therein. But when We consider to what Miseries and Extremities Our Scottish Army in Ireland is reduced, by reason that the Conditions agreed unto by Our Houses of Parliament for their Maintenance, are not performed; and likewise the great and heavy Burdens, which We are informed Our Native Kingdom lies under, by the not timely payment of the Remainder of the Brotherly Assistance due from England, contrary to the Articles of the late Treaty; and withall remembring the Industry, which We know hath been used upon groundless Pretences, to possess Our Scottish Subjects with an Opinion, that if God should so bless Us here in England, as to protect Us from the Malice of Our Enemies, Religion, and the now-established Government of Our Native Kingdom, would be in danger: We (laying aside all Consideration of Our Own particular) resolve on Our part, to endeavour by all possible means to prevent all colour or ground of Division betwixt Us and Our good Subjects of Scotland; and therefore do permit you to Meet, Consult, and Conclude upon the best and readiest ways of Supplying the present wants of Our Scottish Army in Ireland, and providing for their future Entertainment there, until some solid Course be taken for recovering of the Arrears due to them, and for their constant Pay in time coming, according to the Conditions agreed upon in the Treaty; as also to advise upon the best way of Relieving the Publick Burdens of that Our Kingdom of Scotland, by pressing, by all fair and lawful means, a speedy Payment of the Remainder of the Brotherly Assistance due from England; as likewise to prevent the Practices of such as study to entertain in this Our Kingdom groundless Jealousies and Fears of Innovation of Religion or Government, the Preservation whereof (according to Our many Solemn Protestations) shall ever be most Sacred to Us; providing always, that in doing these things, nothing be done which may tend to the Raising of Arms, or Recalling Our Scottish Army, or any part thereof, from Ireland, but by Order from Us, and Our Two Houses of Parliament, according to the Treaty agreed upon to that effect: and We do require you, to limit your Consultations and Conclusions to the foresaid Particulars. And as by this, and many other Our former Acts of Grace, and Favour to that Our Native Kingdom, it clearly appears, how desirous We are of preserving their Affections, and preventing all occasions of Mistakes betwixt Us and them; so We do expect, that your Proceedings at this time will be such, as may shew your tender Care of Us and Our Greatness, which by so many Oaths and Obligations you are tied to preserve.

Given at Our Court at Oxford  
the 10<sup>th</sup> of June 1643.

Mean-while the Duke and his Brother advertised both their Majesties, *An. 1643.* of the great apprehensions they had of Mischief from *Scotland*, and besought His Majesty, that so long as they were idle in *Scotland* he should be busie in *England*; for his good Success there; was that which would engage most to appear for him here; and they, with those trusted with them, made the Lord Chancellour understand the hazard he was in, if the Annuities were discharged, and accordingly filled up one of the Blanks with a Proclamation, discharging them to all who had Signed the Petition against them, which yet remains, but without a Date and Signeting. The Lord Chancellour was very sensible of the ruine of his Fortune, which would follow from the Publishing of that which certainly would be popular, as being an ease of the Subjects, and therefore promised to them, to use his utmost Endeavours to put all the stops he could in the Agreement with *England*: wherefore with joint consent they resolved to proceed no further in that Affair for that time, and accordingly the Lord Chancellour was very instrumental (though covertly) in getting things kept off so long; for had not much Art been used, the Church-party were inclined, immediately upon the opening of the Convention, to have engaged in the Quarrel for the Two Houses.

The 22<sup>th</sup> of *June* came, and the Convention fate down, (which is a Court made up of all the Members of Parliament, but as they are called and sit without the state or formalities used in Parliaments; so their Power is to raise Money or Forces, but they cannot make or repeal Laws.) The Duke and his Friends, as they answered to their names, declared they were present, upon the notice they had of the Kings Warranting of the Convention. After that, *Lanerick* delivered the Kings Letter of the 10<sup>th</sup> of *June*, and it being read, drew on a great Debate, which lasted four days, whether the Convention was free or not, and if bound up to the limits of the Kings Letter or not. The grounds of the Debate were, on the one side it was certain, that by the Law of *Scotland* no Assembly of that nature could be called but on the Kings Writ, and therefore there was a Nullity in the beginning of it; but that now the King *ex post facto* allowing them as a Meeting of His Subjects to consider of some Particulars, they could pretend to no Authority but what that Letter gave them: therefore they had not the Authority of a Convention of Estates, but were only a Meeting of so many Subjects to consult of some Affairs. On the other side it was said, that the Convention was summoned by a Writ under the Great Seal, which was all that the Subjects were to look for, they not being concerned to look into the Kings secret Orders, or private Pleasure: so this was a sufficient Authority for their Sitting; and for the Kings Letter, though it seemed he was not well-pleased with his Council for it; yet it did not annul the former Writ, nor indeed could it, and it was essential to all Meetings of that nature to be free, and not limited in their Consultations; for if the King calls a Parliament or Convention, their Freedom cannot be restrained to such Particulars as the King would limit them to, otherwise the Grievances of the Nation should never be considered: therefore they concluded, it either must be no Convention at all, or if it was one, it must be left at liberty to treat of all the Affairs of the Nation. The Duke and his Brother were the great Arguers on the one side; and when they saw how it was like to go, they resolved

An. 1643. to Protest, and leave them. But the Kings Advocate told them, that if the Convention were Voted a free Convention, then to Protest against it was Treason; but they might declare their Judgments, and thereupon take Instruments, which was equivalent to a Protestation, and more Legal: and they judging this punctilio of the word *Protest* of no Importance, resolved to follow his Advice. So on the 26<sup>th</sup> of June, it being put to the Vote, a Free Convention or not, the Duke voted it *no Convention, but as regulated by the Kings Letter*: so did eighteen Lords, and but one Knight; all the rest voting it a Free Convention. Whereupon the Duke rose up and declared, he could no more own that for a Free Convention, nor acknowledge any of their Acts or Orders, further than as they kept within the bounds of the Kings Letter. My Lord *Argyle* asked, did he by that Protest against the Convention? my Lord *Lanerick* answered, they meant not to Protest, but declare and take Instruments, both in the Kings Name and their own, which accordingly they did, and so removed. Only *Lanerick* required them to record the Kings Letter, which was refused; next he craved an Instrument of his producing it, which was also refused: so having taken witnesses of it, he withdrew, and none of these Lords would sit in the Convention any more. After this some came to the Duke, and asked his Advice if they should sit or not; he suspected their Intentions were only to betray him, and told them, that his Practice declared his own Judgment, which he wished the whole Convention had followed; but for particular Advices he left it to themselves. Others of their Friends were by them all thought necessary to sit still in the Convention, to keep up delays in the approaching Treaty with the *English*; but divers of their Friends being over-awed with the Power of the Church-party, did forsake them.

Great Jealousies and Divisions in Scotland.

At the same time some of the Church-party, who feared the Duke more than all that opposed them, knowing the depth of his Designs, and the smoothness of his Address, took a strange Course to render him suspected to the Kings Party, which was to let a Whisper fly out, but so as they should not appear in it, that he and they kept a Correspondence; which was too easily believed by many, who were already ill-affected to his Person, and displeased with his Methods: and the great forwardness of some for appearing in the Kings Service, made them impatient of all Delays. But the Duke sent divers Messages by Mr. *Murray* of the Bed-chamber (who was at that time sent by His Majesty to *Scotland*;) to those of the Kings Friends, who he saw were displeased with him, to mediate a Reconciliation, who dealt in it with all possible diligence; but their Jealousies of the Duke were insuperable. And a little after that, in the end of *July*, some of them went to Court to represent to the King, how ill His Affairs were managed by those He trusted them to, and to offer their Service, if He would change his Tools and Methods. The Duke upon this wrote to the King, that he found himself betwixt two Tides, of those who were perverse on the one hand, and over-forward on the other; yet he wished not only Life and Fortune, but his Soul might perish, if he left any thing un-essay'd and undone, that was in his power for the Kings Service. But all in which he could hope to prevail, was Delays, which to draw out longer than this Winter he could not promise. And the Methods he used to draw out the Treaty by Delays, were, to set some on work to get *Scotland* to insist on their Demands for the rest of the Brotherly Assistance,



sistance, and for what was agreed to by the former years Treaty, to be *Am. 1643.* paid for the Army in *Ireland*, before they engaged further, all which amounted to a round Sum; and he knew it would neither be soon, nor easily advanced. The time of the Assembly was also approaching, wherefore they advised the King for his Advocates encouragement to Name him Commissioner for it.

The Convention did little at first, only they begun a new Process against some alledged Incendiaries, and named many Committees, waiting still for the *English* Commissioners who were daily expected. On the first of *August* came the Kings Advocat's Commission with his Instructions, and a Letter to the Assembly.

His Instructions were, *First, to assure the Assembly of the Kings constant adherence to the late Establishment, and his willingness to encourage all good Motions.*

*He was to oppose all Treaty with England, or Declarations about the Com-motions there.*

*He was to oppose any new Commission of the Kirk.*

*He was to hinder any Censure to pass on those who had subscribed the Cross Petition.*

On the second of *August* the Assembly sat down; but no curb could hold them, so high was their Zeal, and so void were they of respect of Persons, that the opposition the Kings Commissioner gave them was little regarded, for they went on at a great rate. The General Assembly sits.

The Convention voted an hundred thousand Marks Sterling to be raised by a Loan: this was a pretty Device to fine all that were not judged well-affected; for they were appointed to lend Sums upon the Publick Faith, which every one knew would turn to no Security for their Money.

On the ninth of *August* came the much-longed for Commissioners from *England*, with a large Declaration from the Two Houses, justifying all their Procedure, and intreating the assistance of their Brethren in *Scotland*. This was cheerfully welcomed by the Assembly, and some did run so far back, as to remember how *Queen Elizabeth* helped the *Lords of the Congregation* in the *Scotish* Reformation in opposition to the *Queen Regent*; and therefore it was but Justice that they should now repay them with the like Assistance. Commissioners come from England.

But that which generally prevailed to engage the greater part of the Nation in the War, shall here be set down with that fulness and freedom that becomes a Historian. The (now) Duke of *Newcastle* had raised a great Army in the North of *England* for the King, upon which that Countrey was like to be for some time the seat of the War; and though *Berwick* and *Carlisle* had no Garrisons in them, according to the Treaty between both Kingdoms, yet it was not to be doubted, but either the one side or the other would see their advantage in putting Garrisons in these places: upon which, all in *Scotland* judged it necessary to raise some Forces, otherwise the best Counties in *Scotland*, which lye toward the South; had been put under Contribution by those Garrisons, and they had been all a prey to the prevailing Army; yea, and which side soever were either beaten or straitned, it was not to be doubted but they would send in Parties to *Scotland* to bring Provisions, and what else could be had; therefore it was Concluded, that a Force must be raised for the Security of *Scotland*. This being laid down, it

*An. 1643.* was not uneasie to perswade all, that it was better to carry in and maintain their Army in *England*, than keep it in *Scotland* to be a vast Charge upon themselves. And the Forces that were raised in the years 1639 and 40, had been very heavy on the chief Nobility and Gentry; nor had the Brotherly Assistance, which the Two Houses had Voted to be raised for their reimbursement, come to their Supply, the War of *England* intercepting it: therefore they had generally a great mind to Quarter their Army in *England*. Now this could not be done, they keeping up the Neutrality they were then in, therefore they must either joyn with the King or the Two Houses. For joyning with the King many Arguments were used, both from the Laws of *Scotland*, that obliged all the Subjects to assist the King in his Wars; and from the Covenant, wherein they swore to assist Him in every cause in which His Majesties Honour was concerned. There were also private assurances given, not only to the leading Men, but to the whole Nation, of signal marks of His Majesties Favour, and Confidence in the disposal of all Offices, and Places at Court, that every third time they should be filled with *Scotish* men, together with other particulars, not needful to be mentioned. But against all this it was objected, that those who had the Ascendant in the Councils at *Oxford*, were either Papists, or men of Arbitrary Principles; and the Clamours that always follow Generals and Armies where there is no certain Pay, were carried to *Scotland*, not without great additions, against the Kings Forces, to possess people with a deep alienation from them. It was likewise said, that since the King, notwithstanding the Declining of his Affairs in *England*, would not grant what was desired there about Episcopacy, it might be from thence gathered, what he would do if his Arms were successful; and therefore all People were possessed with the jealousies of his subverting the whole Settlement with *Scotland*, as soon as he had put the War in *England* to a happy Conclusion. And though it was answered to this, that the Kings putting things to hazard rather than sin against his Conscience, was the greatest assurance possible, that he would faithfully observe what He had granted; to this, Malicious people said, that it would be easie to find distinctions to escape from all Engagements; and if the putting down of Episcopacy was simply sinful according to the Kings Conscience, then that alone would furnish Him with a very good reason to overturn all, since no Men are bound to observe the promises they make, when they are sinful upon the Matter. And these Reasons did generally prevail with the Covenanters, to refuse to joyn with the Kings Party in *England*: therefore they concluded it necessary to Engage with the Two Houses, both because the Cause was dear to them, it being a pretence for Religion and Liberty. It was also said often, that they owed their Settlement, partly to the backwardness of the Armies the King had raised against them in *England*, and partly to the Council of the Peers, who had advised the King to grant a Treaty, and afterwards a full Settlement to them. And that Paper which was sent down in the Year 1640, as the Engagement of 28 of the Peers of *England*, for their Concurrence with the *Scotish* Army that year, was shown to divers, to engage them unto a Grateful return to those, to whom it was pretended they were so highly obliged. For though the Earl of *Rothes* (and a few more) were well satisfied about the Forgery of that Paper, yet they thought that a Secret of too great Importance to be generally known;

known ; therefore it was still kept up from the Body of that Nation. *An. 1643.* And upon these Pretences and Inducements it was, that it came to be generally agreed to, to enter into a Confederacy with the Two Houses. So Fatal did the Breach between the King and his People prove, that even when it seemed to be well made up by a full Agreement, there was still an after-game of Jealousies and Fears, which did again widen it by a new Rupture, which to these men seemed at this time unavoidable : otherwise they found the ease of a Neutrality to be such, that the Men of the greatest Interest in those Councils have often told the Writer, they had never engaged again, had it not been for those Jealousies with which they were possessed to a high degree. There was a Committee of Nine appointed to Treat with the Commissioners: the *English* pressed chiefly a Civil League, and the *Scots* a Religious one ; but though the *English* yielded to this, yet they were careful to leave a door open for *Independency*. Thus the Treaty with the *English* Commissioners went on, notwithstanding a Letter the King wrote to the Chancellour, to be communicated to the Council, requiring them not to Treat with them, since they came without His Majesties Order ; but they who had leaped over all other matters, could not stand at this.

And now came to light that which had been a hatching these many Months among the *Junto's*, which was the *Solemn League and Covenant*, which follows ;

### The Solemn League and Covenant of the three Kingdoms.

**W**E Noblemen, Barons, Knights, Gentlemen, Citizens, and Burgessees, Ministers of the Gospel, and Commons of all sorts in the Kingdoms of Scotland, England, and Ireland, by the Providence of G O D living under one King, and being of one Reformed Religion, having before our eyes the glory of G O D, and the advancement of the Kingdom of our Lord and Saviour Jesus Christ, the Honour and Happiness of the Kings Majesty and His Posterity, and the true publick Liberty, Safety, and Peace of the Kingdom; wherein every ones private condition is included : And calling to mind the treacherous and bloody Plots, Conspiracies, Attempts and Practices of the Enemies of G O D, against the true Religion and Professors thereof in all places, especially in these three Kingdoms ever since the Reformation of Religion; and how much their Rage, Power, and Presumption are of late, and at this time increased and exercised; whereof the deplorable estate of the Church and Kingdom of Ireland, the distressed estate of the Church and Kingdom of England, and the dangerous estate of the Church and Kingdom of Scotland, are present and publick testimonies ; We have now at last (after other means of Supplication, Remonstrance, Protestations and Sufferings) for the preservation of our selves, and our Religion, from utter ruine and destruction, according to the commendable practice of these Kingdoms in former times; and the example of Gods People in other Nations, after ma-  
ture

The Solemn  
League and  
Covenant.



An. 1643. *ture deliberation, resolved and determined to enter into a mutual and Solemn League and Covenant: Wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high G O D, do Swear;*

- I. **T**hat we shall sincerely, really and constantly, through the grace of GOD, endeavour in our several Places and Callings, the preservation of the Reformed Religion in the Church of Scotland, in Doctrine, Worship, Discipline and Government, against our common Enemies; the Reformation of Religion in the Kingdoms of England, & Ireland, in Doctrine, Worship, Discipline and Government, according to the Word of G O D, and the example of the best Reformed Churches: And shall endeavour to bring the Churches of G O D in the three Kingdoms to the nearest conjunction and Uniformity in Religion, Confession of Faith, Form of Church-Government, Directory for Worship and Catechising; that we and our Posterity after us, may as Brethren, live in Faith and Love, and the Lord may delight to dwell in the midst of us.
- II. That we shall in like manner, without respect of persons, endeavour the extirpation of Popery, Prelacy, (that is, Church-Government by Arch-bishops, Bishops, their Chancellours and Commissaries, Deans, Deans and Chapters, Arch-deacons, and all other Ecclesiastical Officers depending on that Hierarchy) Superstition, Heresie, Schism, Prophaneness, and whatsoever shall be found to be contrary to sound Doctrine and the Power of Godliness; lest we partake in other mens sins, and thereby be in danger to receive of their Plagues; and that the Lord may be one, and his Name one in the three Kingdoms.
- III. We shall with the same sincerity, reality and constancy, in our several Vocations, endeavour with our Estates and Lives mutually to preserve the Rights and Priviledges of the Parliaments, and the Liberties of the Kingdoms; And to preserve and defend the Kings Majesties Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdoms; That the World may bear witnes with our Consciences of our Loyalty, and that we have no thoughts or intentions to diminish His Majesties just Power and Greatness.
- IV. We shall also with all faithfulness endeavour the discovery of all such as have been, or shall be Incendiaries, Malignants, or evil Instruments, by hindering the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any faction, or parties amongst the People, contrary to this League and Covenant, That they may be brought to publick Trial, and receive condign Punishment, as the degree of their Offences shall require or deserve, or the Supreme Judicatories of both Kingdoms respectively, or others having power from them for that effect shall judge convenient.
- V. And whereas the happiness of a blessed Peace between these Kingdoms denied in former times to our Progenitors, is by the good Providence of GOD, granted unto us, and hath been lately concluded, and settled by both Parliaments, We shall each one of us, according to our place and interest, endeavour that they may remain conjoynd in a firm Peace and Union to all posterity, and that Justice may be done upon the wilful opposers thereof, in manner expressed in the precedent Article.
- VI. We shall also, according to our places and callings, in this common cause of Religion, Liberty, and Peace of the Kingdoms, assist and defend all those that enter into this League and Covenant, in the maintaining and pursuing thereof;

And shall not suffer our selves directly or indirectly, by whatsoever combination, persuasion, or terrour, to be divided and withdrawn from this blessed Union and Conjunction, whether to make defection to the contrary part, or to give our selves to a detestable indifferency, or neutrality in this Cause, which so much concerneth the Glory of GOD, the Good of the Kingdoms, and Honour of the King; But shall all the days of our lives zealously and constantly continue therein against all opposition, and promote the same according to our power, against all Lets and Impediments whatsoever: And what we are not able our selves to suppress or overcome, we shall reveal, and make known, that it may be fully prevented or removed: And which we shall do as in the sight of God.

And, because these Kingdoms are guilty of many sins, and provocations against GOD, and his Son Jesus Christ, as is too manifest by our present distresses and dangers the fruits thereof: We profess and declare before GOD and the World, our unsained desire to be humbled for our own sins, and for the sins of these Kingdoms, especially that we have not, as we ought, valued the inestimable benefit of the Gospel, that we have not laboured for the purity and power thereof, and that we have not endeavoured to receive Christ in our hearts, to walk worthy of him in our lives, which are the causes of other sins and transgressions, so much abounding amongst us. And our true and unsained purpose, desire, and endeavour for our selves, and all others under our power and charge, both in publick and in private, in all Duties we owe to God and Man, to amend our lives, and each one to go before another in the example of a real Reformation; That the Lord may turn away his wrath, and heavy indignation, and establish these Churches and Kingdoms in Truth and Peace. And this Covenant we make in the presence of Almighty GOD, the Searcher of all hearts, with a true intention to perform the same, as we shall answer at that great Day when the secrets of all hearts shall be disclosed; Most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success, as may be deliverance and safety to his People, and encouragement to other Christian Churches, groaning under, or in danger of Antichristian Tyranny, to joyn in the same, or like Association and Covenant, To the Glory of GOD, the Enlargement of the Kingdom of Jesus Christ, and the peace and tranquillity of Christian Kingdoms and Commonwealths.

This was offered to the Assembly on the 17<sup>th</sup> of August, and after it was publickly read, Mr. Henderson being then Moderator, had a long Speech about it. Then it was read the second time, and many of the most eminent Ministers, and Lay-Elders, were desired to deliver their Opinions about it, who did all magnifie it highly: and though the Kings Commissioner pressed a Delay, till at least it were communicated to the King; yet the approving it was put to the Vote, and carried unanimously, and they ordered the Lord Maitland (the now Duke of Lauderdale) and Mr. Henderson, and Mr. Gillespy, to carry it up to the Two Houses at Westminster. On the same day it was also approved in the Convention. Wise Observers wondered to see a matter of that Importance, carried through upon so little Deliberation or Debate. It was thought strange to see all their Consciences of such a size, so exactly to agree as the several Wheels of a Clock; which made all apprehend, there was some first Mover that directed all those other Motions; this by the one Party was imputed to Gods extraordinary Providence; but

The Censures  
that generally  
were passed  
on it.

An. 1643. but by others to the Power and Policy of the Leaders, and the simplicity and fear of the rest. One Article of it was thought strange, that one Government of the Church was abjured, but none sworn to in its place for *England*; this was not the fault of the *Scots*, who designed nothing so much, as to see Presbytery established in *England*. But the *English* Commissioners would not hear of that, and by that General words of *Reforming according to the Word of God*, (cast in by Sir *Henry Vane*) thought themselves well-secured from the inroads of the *Scotish* Presbytery; and in the very contriving of that Article they studied to out-wit one another, for the *Scots* thought the next words of *Reforming according to the Practice of the best Reformed Churches*, made sure game for the *Scotish* Model, since they counted it indisputable that *Scotland* could not miss that Character.

Those of *Scotland* would have had Episcopacy abjured, as simply unlawful: but those of *England* would not condemn that Order, which had merited so much Glory in the whole Christian Church, therefore the second Article was so conceived, that it might import only an Abolition of the present Model of *England*; and it was so declared, both in the Assembly of Divines, and in the Two Houses of Parliament when they swore it. The *Scots* either perceived not this Change, or were glad to get it carried on at any rate. But many judged the oddest part of it all was their Oath to maintain the Priviledges of both Parliaments, since that was never defined, and was scarce capable of a Definition; and the Priviledges of the Parliament of *England*, were far enough from the knowledge and divination of the *Scotish* People, who in this case must believe all that to be Priviledge which they called so.

The Covenant was carried up, by those trusted with it, to the Two Houses, to be approved by them; and being returned to *Scotland*, the Committee of Estates did by their Printed Act of 22<sup>th</sup> of October, ordain it to be Sworn and Subscribed by all the Subjects, under the pain of being punished as Enemies to Religion, His Majesties Honour, and the Peace of these Kingdoms: and to have their Goods and Rents confiscated, and they not to enjoy any Benefit or Office within the Kingdom, and to be cited to the next Parliament as enemies to Religion, King and Kingdoms, and to receive what further punishment His Majesty and the Parliament should inflict on them. At this time His Majesty sent Mr. Mungo Murray to *Scotland*, (to assure his Friends of his Confidence in them) who brought the following Letters from the King and Queen to the Duke.

Hamilton,

Letters from  
the King and  
Queen to the  
Duke.

I Find there hath been a great Mistaking about that mark of Favour, which I thought fit to bestow upon you, the particulars I have commanded Mungo Murray to tell you: only this I assure you, that my Confidence of you is not lessened, from what I commanded your Brother to assure you of in my Name, for you shall find me

Your most assured, real, constant Friend,

CHARLES R.



An. 1643.

Cousin,

AS soon as I had occasion since my Arrival hither, to write to you, I have resolv'd to do it, both to assure you of all that I said to you when I was at York; as also to tell you that I am none of the least sharers in rejoycing at the Honour the King hath put on you. This is a mark of the Confidence He hath in you, which I am assured you will make the World see, was founded on very good reason. The Bearer is a Person who will tell you more than I can write: to him I refer my self, and shall say no more but that I am

Oxford,  
28<sup>th</sup> August.

Your affectionate Cousin,

HENRIETA MARIA R.

The Kings Friends had gone to the several places where their Interests lay, to see what likelihood there was of Raising any Force for advancing the Kings Service by extreme ways; and to put a better colour on their Gathering of People together, they carried with them the following Letter, which was Signed by His Majesty, and of which Lanerick was ordered to give an attested Copy to all who were well-affected.

CHARLES R.

Right Trusty, and Right well-beloved Cousin and Councellour, We Greet you well. The Kings  
Letter to His  
good Subjects  
in Scotland.

Since nothing on Earth can be more dear to Us than the Preservation of the Affections of Our People, and amongst them, none more than those of Our Native Kingdom, which, as the long and uninterrupted Government of Us and Our Predecessors over them doth give Us just reason, in a more near and special manner to challenge from them, so may they justly expect a particular Tenderneſs from Us, in every thing that may contribute to their Happiness: but knowing what industry is used, by scattering Seditious Pamphlets; and employing private Agents and Instructions, to give bad impressions of Us and Our Proceedings, (under a Pretence of danger to Religion and Government) to corrupt their Fidelities and Affections, and to engage them in an unjust Quarrel against Us their King, We cannot therefore but endeavour to remove these Jealousies, and secure their fears from all possibility of any hazard to either of these from Us: We have therefore thought fit to require you to call together your Friends, Vassals, Tenants, and such others as have any dependance upon you, and in Our Name to shew them Our Willingneſs to give all the Assurances they can desire, or We possibly grant, (if more can be given than already is) of preserving inviolably all those Graces and Favours; which We have of late granted to that Our Kingdom, and that We do faithfully promise never to go to the contrary of any thing there established, either in Ecclesiastical or Civil Government: but that

I i

We

An. 1643. We will inviolably keep the same, according to the Laws of that Our Kingdom, and We do wish God so to bless Our Proceedings and Posterity, as We do really make good, and perform this Promise. We hope this will give so full satisfaction to all that shall hear of this Our solemn Protestation, that no such persons as study Division, or go about to weaken the Confidence betwixt Us and Our People, and justly deserve the name and punishment of Incendiaries, shall be sheltered from the hand of Justice; and all such others as shall endeavour Peace and Unity, and Obedience to Us and Our Laws, may expect that Protection, and increase of Favours from Us, which their Fidelity deserves. So expecting your Care hereof, We bid you heartily farewell.

From Our Court at Oxford the 21<sup>st</sup> of April, 1643.

The Lords  
whom the King  
employed,  
meet and send  
Propositions  
to the King.

These Lords appointed at parting to meet again about the end of August, which accordingly they did; and when they met, divers told they found much coldness among their Friends. Many professed a cordialness to the Kings Service; but they had neither Armes, nor Ammunition, nor saw they a place of Security for a Rendezvous, nor of Safety for a Retreat in case of a Misfortune; so that divers of the Noblemen said, It was not in their power to bring any with them to the fields, but their own Domesticks. Whereupon it was agreed by them all, to send one Neal Servant to Mr. Murray of the Bed-Chamber to the Marquis of Newcastle, to desire him to seize on Berwick, which was of great Importance, and was at time without a Garison, that it might be the Place whither they might bring what Forces they could draw together which was indeed the most proper Place for them, since the Counties that lay next it were best-affected. They likewise desired my Lord Newcastle, to send them such Arms and Ammunition, as could be spared them out of the Kings Magazines, which were then in his hands: they also ordered Neal to go forward from him to Oxford, to give the King an account of their Desires, that they might be presently supplied. He was dispatched on the 29<sup>th</sup> of August; but on the 4<sup>th</sup> of September my Lord Newcastle wrote back to them a short answer referring them to Neal, who in a large one, (both which are extant) told them, that my Lord Newcastle said, he could spare them neither Armes nor Ammunition: and as for Berwick he could not seize on it without bringing Ruine on himself and his Posterity, unless he had a Commission for it under the Great Seal of England; it being contrary to the Articles of the late Treaty of the two Kingdoms, which was ratified in Parliament.

The Treaty  
betwixt Scot-  
land and En-  
gland is con-  
cluded.

At this time the Treaty betwixt the Two Houses in England, and the Convention in Scotland, was closed. Against the 5<sup>th</sup> of October a hundred thousand pounds Sterling was to be paid in Scotland, and against the Twentieth of that Month, an Army of Twenty thousand Horse and Foot, was to be on the Borders from Scotland, who were to have thirty thousand pounds Sterling a Month for Pay; only the hundred thousand pounds Sterling was to serve for the first three Months. The General was to be chosen by the Scots, the Army was to receive Orders from a Committee of both Kingdoms; no Peace should be treated, or concluded without the Scots: and the Publick Faith was given by the Convention of Estates in Scotland, that their Army should return out of England when a Peace was concluded by both Kingdoms. And so the Convention Adjourned till January, having chosen a Committee of Estates, to whom they gave full Power in all matters Civil and Military.

About

About the middle of *September* the fairest opportunity of all was lost, *An. 1643.* for the Parliament of *England*, apprehending the hazard of the loss of *Berwick* sent down some Ships, by which, with the Concurrence of the *Scots*, it was presently Garrisoned: and the Committee of Estates issued out, toward the middle of *September*, Commissions for making of Levies through the Kingdom, so that nothing kept them from Marching, but that they heard not of Money from *England*.

*Berwick* seized  
on by the  
Parliament.

The Kings Friends were now in the greatest perplexities imaginable, they saw his Affairs in a ruining Condition, and themselves able to do nothing but regrave it. All *September* passed over, ere they had a return from *Oxford*; and since the hope of *Berwick* was irrecoverably lost, nothing remained but Despair. The Church-party became daily more resolute, and the Kings-party became fainter. At length in the beginning of *October*, Mr. *Mungo Murray* came from Court, but brought no present Relief, only large hopes of Assistance to follow quickly. He also brought Letters from the King, both to the Council and the Conservatours of the Peace: that to the Conservatours of the Peace follows.

CHARLES R.

**R**ight Trusty, and Right well-beloved Cousins and Councillours, Right Trusty and well-beloved Councillours, and Trusty and well-beloved, We greet you well.

The Kings  
Letters to the  
Conservatours  
of the Treaty.

No Industry hitherto could have so far prevailed with Us, as to gain any belief that Our Scottish Subjects would countenance, much less assist this bloody Rebellion in *England*; yet We know not how to understand the Levying of Forces, both Foot and Horse, within Our Native Kingdom, and their entering Our Town of *Berwick* in an hostile manner.

You are particularly trusted by Us and Our Parliament, (and solemnly sworn to be faithful in the discharge of that Trust) of seeing the Articles of the late Treaty observed, which here is most grossly violated: therefore We require you, as you will be answerable to God, to Us, and Our Parliament, to take speedy and present Order for recalling and suppressing those Forces.

Our most malicious Enemies must bear Us witness, how religiously We have observed these Articles on Our part, whereof if We had not been more tender, (than the advisers of the Breach have been of the Publick Faith) it is obvious to any, how easily We could have secured that Town from all Rebels.

We have likewise thought fit to take notice of the private Preparations in that Our Kingdom, of Raising an Army by a new Authority, to come into Our Kingdom of *England*, under the pretence of securing themselves from a Popish and Prelatical Army, falsely alledged to be upon the Borders; such Forces as We have there, being only for Protecting of Our distressed Subjects from the IncurSION of Rebels, from their Ships at *Berwick*, and *Holy-Island*, and for no other end. Such then as shelter themselves under that Pretext, will find from thence but a slender Warrant before God, who knows the integrity of Our Heart, and how inviolably We intend to preserve all that We have granted to that Kingdom, so long as they suffer themselves to be capable of Our Protection, and those Favours.

We do require you not only to oppose and suppress all such unwarrantable Levies, but by your Publick Declaration to disabuse those Rebels in *England*,



*An. 1643. who endeavour to engage you in their Rebellion, and expect Assistance from you; in all which We look for ready Obedience, and expect a present account thereof. We bid you heartily farewell.*

Given at Our Court at Oxford the 26<sup>th</sup> day of September,  
in the 19<sup>th</sup> Year of Our Reign, 1643.

The Letter to the Council follows.

CHARLES R.

The Kings  
Letter to the  
Council.

**R**ight Trusty and Right well-beloved Cousins and Councillours, and Trusty and well-beloved Councillours, We greet you well.

Whereas Our desire of preserving Peace within Our Native Kingdom, and preventing such Disputes which malicious Instruments might so heighten, as to divide Us and any of Our Scottish Subjects, moved Us by Our Letter of the tenth of June, to dispense with the unwarrantable Calling together of the Nobility, Commissioners of Shires and Burroughs, at Edinburgh the twenty second of June 1643, and so far to give way to the Meeting, as to allow them to take into Consideration the best ways of Maintaining Our Scottish Army in Ireland, for Suppressing of that bloody Rebellion there, since Our Two Houses of Parliament here had failed in the performance of the Treaty, concluded upon betwixt the Two Nations for that effect, and likewise for such other Particulars as Our said Letter doth more fully contain; expecting they would have limited their Resolutions thereunto, and paid an equal Gratitude of Duty and Obedience to Us and Our Just Commands, as We have so lately and so many ways expressed Our Affection to that Our Kingdom in General, and so many Members of that Meeting in their own particulars: all which notwithstanding they have proceeded to Resolutions as unjustifiable as their Meeting, and would engage Our Subjects to an Obedience of their Arbitrary Commands, beyond the Power of any of the most Free and Lawful Conventions of the Estates, Our Authority and Consent being so absolutely contemned, that they have exceeded the Bounds We have prescribed, and proceeded to Conclusions of the highest nature, without so much as acquainting Us therewith. Such high Indignities to Us and Our Authority, make Us believe they have forgot they have a King, and their Oaths in preserving Us in Our Just Power as their King: but God will discover and punish such undutiful Thoughts, how closely soever they be clouded with pretences of Safety to Religion and Liberty, which they know will ever be dearer to Us than Our Own Preservation. Our good Subjects will likewise suffer with Us by their heavy Taxes upon them, and possibly by their desperate Resolutions of their Engaging them in a bloody and unnatural War. Those Injuries to Us, and Oppressions upon them, We expect you (whom We have with Advice of Our Parliament entrusted with managing the greatest Affairs of that Our Kingdom) will particularly resent: and therefore We have thought fit to require you immediately after the receipt hereof, to publish in Our Name a Proclamation to all Our loving Subjects of that Our Native Kingdom, prohibiting them under all highest pains to give Obedience to any Act or Ordinance of that pretended Convention, or of any Committee pretending a Power or Authority from them; but to oppose by Armes, or otherways, all such Persons, as shall endeavour to put in execution any Acts of theirs, (but such as We expressed in Our Letter We mentioned of the tenth of June, which

*which was so much slighted as it was refused to be Recorded) for the Raising An. 1643. of Forces, or Recalling Our Scottish Army in Ireland, or any part thereof without Our Knowledge and Consent : and We do likewise require, that no Taxes imposed upon Our Subjects by that pretended Authority be paid; assuring all Our Loving Subjects of Our Protection, in the Obedience of these Our Commands; for which these shall be your Warrant, which We require you to Record.*

Given at Our Court at Oxford the 26<sup>th</sup> of September,  
in the 19<sup>th</sup> Year of Our Reign, 1643.

With these His Majesty wrote to my Lord Lanerick.

CHARLES R.

**R**ight Trusty, and Right well-beloved Cousin and Councillour, We Greet The Kings  
Letter to  
Lanerick.  
you well.

We have sent to Our Privy-Council of Scotland Our Letters of Direction what they shall do, now that the General Meeting there hath proceeded to such strange and undutiful Resolutions, beyond the Matter We prefixed them to treat upon by Our former Letter. Of those Our Letters We have sent you an exact Copy, and particular Directions to your self, what you shall do in order thereunto, when you shall think fit for Our Service to make use of the same. But We leave it now to your Discretion, and the Judgment of the rest, whom We have entrusted with the Affairs of that Our Kingdom, to deliver these Our Letters to Our said Privy-Council at that time, and no sooner than you shall conceive to be most conducive to Our Service, and the Good of that Kingdom; for if you shall find that no Obedience is likely to be given to those Our Commands, you are to consider how far you, who are Our faithful Servants there, will be able to withstand those Insolences, which of necessity must follow upon such Disobedience, and what the Consequence will be, to anger before We be able to punish such Offenders. But Our Will is, that you forthwith publish the other, anent the Proclamation, Precept or Warrant, falsely published in Our Name; and We further require you, to do whatsoever else you with the rest (whom We have trusted with the Affairs of that Our Kingdom) shall conceive most to conduce to Our Service, as you will answer to Us at your peril: and for so doing this shall be a sufficient Warrant, to you and those others entrusted by Us, as aforesaid.

Given at Our Court at Oxford,  
26<sup>th</sup> of September, 1643.

The Lords whom His Majesty trusted, judged it not fitting to present the Letter written to the Council, and suppressed it. But His Majesty wrote another Letter to the Council about the Proclamation, which was issued forth in his Name by the Convention of Estates, which follows.

CHARLES R.

An. 1643.



CHARLES R.

The Kings Letter about the Proclamation to the Council.

**R**ight Trusty, and Right well-beloved Cousins and Councillours, and Trusty and well-beloved Councillours, We greet you well.

Whereas We were graciously pleased to condescend that this present Meeting in Our Kingdom of Scotland of Our Nobility there, and the Commissioners for Shires and Burroughs, should resolve and conclude of such particular Affairs, as We specified and allowed to them for the Security and Good of that Our Kingdom in Our late Letters to them, dated the 10<sup>th</sup> of June last; and for as much as we have to Our great amazement newly seen a Paper in form of a Proclamation, Precept or Warrant, in Our Royal Name, dated at Edinburgh the 18<sup>th</sup> of August, subscribed

Per Actum Dominorum  
Conventionis Arch. Primrose  
Cler. Conven.

Being a Paper most impudently set forth without Our Privy, or any Authority from Us, and tending to cast Our beloved People of that Our Native Kingdom into the like and more bloody Combustions and Rebellions, Violation of their Religion and Allegiance to Us, and Laws of that Our (hitherto) peaceful Native Kingdom, as hath been here practised by the malicious enemies of Peace and Government: We have therefore upon good Deliberation, and out of Our Princely and Gracious Care of Our People, and of the Tranquility of that Our Native Kingdom (as it was so lately and well settled by Our Self) thought fit to Declare, and we do hereby Declare unto you, that We utterly dislike and disallow it, forbidding all Our Subjects to obey the same, and all other Papers published in Our Name, which shall not immediately be warranted by Us; and We do hereby will and command you, forthwith openly to publish these Our Letters, to let all Our People understand Our Pleasure herein.

And lastly Our Pleasure and Command is, that you cause these Our Letters to be forthwith recorded in the Books of Our Privy Council of that Our Native Kingdom, for all which these Our said Letters shall be your sufficient Warrants.

Given at our Court at Oxford the 26<sup>th</sup> day of September, in the 19<sup>th</sup> Year of Our Reign 1643.

He wrote also to the same purpose to the Earl of Lanerick.

CHARLES R.

His Majesties Letter to Lanerick to the same purpose.

**R**ight Trusty, and Right well-beloved Cousin and Councillour, We Greet you well.

Whereas We have thought fit, for the Good of Our Service and Safety of Our People, to require Our Council, to publish a Proclamation in Our Name to all Our loving Subjects in Scotland, discharging them to give Obedience to any Act or Ordinance of the Pretended Convention of the Estates at Edinburgh the 22<sup>d</sup> of June, or of any Committee pretending Authority from them; but to oppose with Arms, or otherways, all such Persons as shall endeavour to put in execution any Act of theirs: but if Our Privy Council shall not give present Obedience to Our Commands, and publish this Our Pleasure, these are



*to require you to take what Course you shall think most fit to make this Known An. 1643. to all Our loving Subjects, either by giving Warrant in Our Name, to Print Our Letter to Our Council, or by sending attested Copies thereof to all the Nobility, Sheriffs of Counties, and Majors of Towns, within Our Kingdom of Scotland, a Duplicate whereof you will herewith receive under Our Own Royal Hand: and We further require you, to do whatsoever else, you with the rest (whom We have trusted with the Affairs of that Our Kingdom) shall conceive most to conduce to Our Honour, and the Good and Advancement of Our Service, as you will answer for it to Us at your peril; and for your so doing these shall be your Warrant.*

Given at Our Court at Oxford the  
26<sup>th</sup> of September 1643.

With these Publick Letters the King wrote to the Duke.

Hamilton,

**H**AVING much to say, and little time to write, I have commanded this Trusty Bearer to supply the shortness of this Letter, which though it be chiefly to give trust to what he shall say to you in my Name; yet I cannot but assure you by my own Hand, that no ill Offices have had the Power to lessen my Confidence in you, or my Estimation of you, for you shall find me

The Kings  
Letter to the  
Duke.

Your most assured, real,  
constant Friend,

Oxford 28<sup>th</sup> September,  
1643.

CHARLES R.

The Lords whom the King trusted, seeing no present help of Men, nor relief of Armes, like to come from *England*, were like men desperate: and some moved desperate Propositions, that according to what had been (in some former cases) practised in *Scotland*; there should be Orders given out, requiring all to kill the chief Leaders of the Church-party, where-ever they could find them, setting Prices on their Heads, and that with such Orders some of the Blanks should be filled up. But the Duke opposed this strongly, and said, he would take it on him without an Instruction to assure them, that he knew His Majesty would rather patiently suffer all things, than consent to a Course so barbarous and unchristian. As for the practices of some former ruder times, these were to be no Precedents now. Besides, if this were done on the one side, they might expect the same Orders would be presently issued out against them from the Committee of Estates, which would bring on an unheard-of Butchery, and lay all their Throats open to their Servants; whereupon it was laid aside; only the Proposition with the Precedents is yet extant: and they resolved to see what Force they could bring together under the pretence of their Attendants to the Countess of *Roxburgh* her Funeral, which was to be in the beginning of *November*. But there was some Difference about the Methods of carrying on their designs among these Lords, and divers others who were called to their Consultations, besides those

The Kings  
Affairs in Scot-  
land decline.

*An.* 1643. those who were particularly trusted by His Majesty, Those whose Fortunes were broken were for brisker Courses, and those whose Estates were intire, and had the most followers, thought it fitter to delay an open Breach as long as was possible. This diversity of Opinion raised some Animosities and Jealousies among them, so that they fell into a mutual distrust; neither was Secrecy (though not only enjoined but sworn) closely kept, for all their Designs broke out; and and yet some who were guilty of this, were among the busiest to fasten it on the Duke. But the Writer designs only an account of his Affairs, without reflecting needlessly on others; and therefore here he restrains his Pen. So quickly did their closest Secrets fly abroad, that when the Duke was returning home from one of their Meetings, a Covenanter Lord came from *Edinburgh* to meet him on his way, and told him, to a word, all had past at their Meeting; as that Lord informed the Writer.

A Message sent  
to Court by  
the Earl of  
*Traquair*.

On the 24<sup>th</sup> of *October* the Earl of *Traquair* went to Court, whom the Lords that were trusted by the King, had carried along with them in all their Counsels, though his Name could not be in the Instructions, by reason of the Act that was past against him at the former Parliament. With him they sent the following Instructions, containing the grounds and steps of their whole Procedure; which is the fullest and clearest Dispatch was sent this year, (most of the other Messages being verbal) and so will give great light to the rest.

*It is desired it may be represented to His Majesty, that now all He expected from our Affection and Industry here, is performed, this Summer being spent, and he having received no other Prejudice from hence, than what might rise from words, which we did never pretend to prevent, being no ways a Party in the Judicatories.*

*To shew our readines<sup>s</sup> still to venture our Lives and Fortunes in His Majesties Service, which we will make good, not only by verbal Expressions, but real Actions, when we shall see the least probability of Success to His Affairs, though to our Ruine.*

*To represent the Reasons that (hitherto) we have not been in Action; which have been grounded, First, upon our Desire of Protracting time, the chief thing we had Commission to study, (in which our Endeavours have not been fruitless:) Secondly, that they (not His Majesty) should be the first Breakers, both a pious, just, and popular Motive: and thirdly, our expectation of Supplies both of Men, Arms, Ammunition, and Moneys, which we were confident should have been provided for us, and without which we never conceived our Strength to be considerable.*

*To represent, that we would immediately draw our selves together into a Body, (being thereto authorized by His Majesty) if we had the least hope of making it considerable, and if we had any proportion of Arms or Ammunition, a Place of surety for our Rendezvous, and of safety for a Retreat in case of a Misfortune; having by divers Messages represented our Wants, and pressed for Supplies, with the securing of some Places, now lost, but still without Success, without which, many who would joyn with us in this Quarrel of serving His Majesty are unwilling to hazard; and divers very considerable, and most affectionate Noblemen and Gentlemen have declared, that for that reason they cannot bring to that Meeting more than their Domestick Servants, so that we justly fear, we cannot draw together so considerable a Body,*

Body, as could resist, much less offend our Enemies, and likewise an impossibility, for those and other Noblemen and Gentlemen (being only so backed) and lying at so great a distance one from another, and from the Place, which of necessity must be appointed for our Rendezvous, to joyn with us. An. 1643.

And considering these necessities, we cannot but be the more tender of going unto present Action, seeing His Majesty hath so wisely commanded us, to weigh the Consequences of angering before he be able to punish, and the Prejudices which may thereby arise to His Service, wherein we must proceed as we shall be answerable upon our Perils: and therefore we dare not presume to advise the present Engaging of His Majesty, by drawing our selves into a Body; for many would oppose us (seeing then we would be esteemed Rebels) within this Kingdom, that would be unwilling to go into England, which probably cannot be done this Winter, though we dare give no assurance thereof; but do humbly advise, that present Preparation be made for the worst, and in discharge of our Consciences and Duties to His Majesty, we cannot but represent our Fears of the great Disservices He may receive from hence, if he do not timely prevent it, either by a Royal and considerable Strength, or in his Wisdom think of some other way of effecting it, and not to trust to the Power of His Party here. And this our humble Opinion doth neither proceed from Fear, nor Disaffection, nor out of any Intention to desert Him, or His Cause, (wherein we will spend the last drops of our Blood) but really is our sense of the Condition of His Affairs here, which we cannot conceal, without betraying the Trust He hath reposed in us, and which we will be ready to make appear to His Majesty, whensoever He shall think fit to call us to an account, at the hazard of losing His Favour, and all that is dear to us.

About the end of October, all the Lords of the Council received Letters from the Committee of Estates, requiring them to come to Council against the second of November, and sign the League and Covenant, from which the Lords (whom His Majesty had intrusted) excused themselves, not being well-satisfied, neither about the matter of the Covenant, nor the Authority by which it was imposed; whereupon they were again summoned to appear upon the 14<sup>th</sup> of that Month, to do it under the highest pains in case of Disobedience; but they excused themselves the second time likewise. All are required to take the Covenant.

All this while the Duke had been doing his utmost to engage his Vassals, and the Dependents on his Family, to a cordial Concurrence in the Kings Service, and offered to divers of them, if they would vigorously concur in it, to dispense with great advantages he had over their Fortunes by his Superiorities. But that County where his Interest lay, was so prevailed upon by the Ministers, that no endeavours could divert them from the Course that the rest of the Country were taking: and so little could he prevail with them, that all the Authority and Art he and his Brother used, could not get the Commissioners to the Convention of Estates well chosen, though he bestirred himself in it as much as was possible; for beside the Clamours against him, there came out at this time a Book under the name of *The Mystery of Iniquity*, which was shrewdly but maliciously penned. The design of it was to demonstrate, that the King's Intentions ever since his Voyage to Spain, had been for introducing Popery: but to this old Slander was



An. 1643. added a new damnable Calumny, that the King had given Commission for the Massacre in Ireland under the Great Seal of Scotland, in October 1641. when it was in the Duke's keeping, and in the Custody of Mr. John Hamilton, who is by that Pamphleteer called *the Scribe of the Cross Petition*. This was sent through all places, and both preached and printed up and down Scotland, and zealously infused into the Peoples minds, amongst whom it gained belief; which as it irritated them to more fury against the King, so it drew the next share of the *Odium* upon the Duke, whereby he was much disabled from doing the Service which he desired and designed: with such a *series* of sad Trials was God pleased to exercise him almost all the days of his Life.

The Lords  
that were for  
the King met  
at Kelso.

Their Appointment at My Lady Roxburgh's Funeral was to be carried secretly, as if their numerous Meeting had been only for gathering a great Company to solemnize it with the more Pomp, according to the Ceremony used at Burials in Scotland. The Duke took with him near two hundred Horse, the half of them were Gentlemen, and the rest were their Servants. But when they came to the Funeral, all that could be accounted of were about a thousand Horse; but there were such Jealousies among them, and they were so undetermined either what to do, or who should Command, and so little assurance had they of the Adherence of those who were with them, that they parted without coming to any Resolution.

The cruel Orders of the  
Committee  
against those  
who took not  
the Covenant.

This Attempt gave a *Crisis* to the Covenanters Proceedings against them, and therefore, because they came not on the Day prefixed to subscribe the Covenant, they were declared *Enemies to God, the King, and the Country*; and it was resolved, that at least they should be made close Prisoners, of which the Duke was advertised by the Earl of *Lindsay*. But this was not all the height of the Committees zeal, for on the 17<sup>th</sup> day of November, by another Act all their Goods were appointed to be seized on, their Rents gathered up, and their Persons to be apprehended, wherever they could be found: and a Commission was given to Souldiers to go take them, warranting them to do it, notwithstanding any Resistance was made, securing them though they killed those that made Resistance. Southesk was first wrought upon by those thunder-claps: but the Duke and his Brother, seeing all was past recovery in Scotland, and there was no standing before this unparallelled Zeal, prevented their severe Orders, and went to Court; so he and his Brother left Scotland in the end of November.

The Duke ill  
represented  
at Court.

All this while his Enemies at Court had been with great Industry misrepresenting his Actions in Scotland, and for this end made use of the forwardness of some Scottish Lords who were then at Court: yet the King's Affection to him, and Confidence in him, continued firm and unshaken till the end of September, (if not longer,) as appears by His Majesties Letter of that Date, already set down. But the miscarriage of Affairs in Scotland, together with the Duke's absence, raised some jealousies in the King's thoughts; nor had the Duke any Friend at Court, who had such credit with the King, as to be able to justify him, and so Reports went current without contradiction. But when Mr. Murray came up, and Traquair after him, they gave a truer representation of Affairs; therefore, to take off the weight of their Testimony, they were charged with accession to the same Miscarriages, and many things of a high nature were fastened upon the Duke. And the miscarriage

carriage of Affairs in *Scotland* seemed to give good colours for casting *An. 1643.* all the blame of it upon the Unfaithfulness or ill-management of those who had his Majesties chief Trust in that Kingdom, (the usual fate of all Unsuccessful Ministers.) Many foul Slanders were cast on him, and very scandalous and undutiful Discourses were laid to his charge. And to crown all, it was represented, that he had set on foot a Pretension to the Crown of *Scotland*, and designed to put all once into Confusion, that so he might fish the better in those troubled waters.

This was the most bloody and pernicious of all the hellish Slanders his Enemies could invent, and nothing could raise Jealousies in a Court like Stories of this nature; wherefore they were confidently vented: and it was said, that after he and his Brother had betrayed the King's Service in *Scotland*, they were now coming to Court to be Intelligencers to his Enemies; therefore it was necessary to secure him upon his first Arrival, and particularly to hinder his access to the King, since it was to be feared, that his Majesties Affection, with his Innocency, which they in their Consciences knew was unstained, would quickly break through all those Arts that had been contrived for his Ruin.

The Duke was not ignorant of all that was designed against him, nor so totally destitute of Friends, as to be let perish without sending him advertisements. Any Loyalty less than his would upon such advices have kept out of the way till he had sent his Justification before him, and had cleared himself of all Imputations: but being confident of his own Innocency, he resolved to go on, and put all to hazard; so on the 16<sup>th</sup> of *December* he came to *Oxford*. There was at the Ports an Order left to stop him till the Governour were advertised: but the Captain of the Guard thinking he was in the Coach that followed, not knowing himself who was on horseback, let him pass without stopping him. But he was presently followed with an Order from the King, confining him and his Brother to their Chambers during his Majesties Pleasure. The Duke answered, that as he had ever given a ready obedience to his Majesties Commands, so in this he would punctually obey his Order. The Duke goes to Court, and is made Prisoner.

At night Secretary *Nicholas* came to him, and told him, that his Majesty had received an Accusation of a high nature against him, and that he could not be answerable to himself, if he had not taken this Course with him; but that he might expect from him all Favour that in Justice he could grant him, and that himself would be graciously pleased to hear as much of his Cause as he could, and that all haste should be used in it.

The Duke answered, that he humbly thanked his Majesty for his Goodness thus in general to let him know the Cause of his Restraint: and for any favour in that Charge he desired it not, but trusted to the King's Justice and his own Integrity, only he intreated he might have a speedy Trial. And for his Majesties constant Goodness to him, he had no more to return to him but his humble Thanks, since he had received greater proofs of it than he had either merited, or could ever deserve.

Next the Secretary called for his Brother, who was a little indisposed, and told him, he had the Liberty of the Town, only he might not

*An.* 1643. come to the King's or Queen's Court without Permission; and after that a Guard was set at the Duke's Lodgings; with Orders, that none might speak with him except in the presence of one of the Secretaries. But Mr. *Murray* of the Bed-chamber had been with him at his first Arrival, and the Duke desired him to give the King a full account of his Behaviour in *Scotland*, and of the necessities that his Duty had forced him to when he left the Kingdom: and he desired he might have that Justice done him, to see the Charge that had been given against him, that so he might justify himself, since he was absolutely ignorant of it, and his own Conscience did not charge him with any Guilt in reference to the King's Service.

The Duke gets  
a Copy of his  
Charge, and  
Answers it.

At night Mr. *Murray* returned to him with a very favourable Message from the King, expressing his Confidence, that he should clear himself of the Charge given against him. And by what the Writer could learn, it was he that brought him a Copy of the Charge that was drawn up against him: for the Duke got the Copy of it before it was put in the due form of an Impeachment, being liker a Historical Information presented to the King, than a Legal Accusation. That Paper was never brought into any Court, nor did any thing ever follow upon it; for the business went not the length of a Trial; yet it seems too important a Transaction of the Duke's Life, not to be inserted, with the Answers that were drawn to it: for as soon as the Duke got it, he sent to the best Counsel then at *Oxford*, who drew an Answer to it wholly in point of Law, and himself drew an Answer as to matter of Fact, and penned a long Speech which he intended to make at his first Appearance. But those Papers (which do yet remain) were afterwards digested into one full Answer; and therefore that the Reader may not be wearied too much, I shall insert that instead of all the rest, setting down the Answer after every Article of the Charge. Only I shall here premise what I copied out of an Original Letter of one of the most zealous Covenanters (who was a very considerable man among them and one of the *Junto*) to his Correspondent; by which the Reader may judge what he is to think of the Truth of matter of Fact alledged in the Charge; *I have seen the Charge against the Duke, and though he has been a great Enemy to our Cause and Work, I cannot but pity him, since he suffers from their hands whom he has been serving: and after that he adds, he is in no hazard if he get Justice, for the Accusation is false, and can never be proved.* This will discover both what the secret thoughts of the Covenanters were of the Duke, and how false the Charge was in matter of Fact. But the most material Evidences that do clear his Innocence, and justify the Answers to the Charge, have been already set down in the former parts of this Work, to which the Reader will find some References marked in the Margent.



The Accufation given againſt the Duke of Hamilton at Oxford, December 1643.

**T**hat the Duke of Hamilton hath of a long time (yea almoſt ever) ſince Article 1. he had any conſiderable meddling in Buſineſs, endeavoured in the way of a conſtant and continued Deſign, both by Words and Actions, to beget in His Majesties Subjects both a Hate againſt the Government, and a Contempt of His Majesties own Sacred Perſon; as particularly he himſelf uſing moſt contemptible and undervaluing Expreſſions of His Maſteſty and His Emiſſaries, Inſtruments, or Creatures, ſuggeſting upon the other part all Prejudices to the People, as that they were now but a Province unto England, and had loſt their Liberty, and that Scotland was now under a Pharaoh that knew not Joſeph.

The Answer to the former Charge.

**T**He Defendant is charged with many things of a high nature, <sup>Answer:</sup> ſome whereof, if true, will involve him in the guilt of High Treason; other particulars infer a breach of Truſt, and an abuſing of His Majesties Confidence in him, with ſeveral other heinous Aggravations, which, if true, the Defendant acknowledgeth that no Punishment could be found equal to his Guilt: and in a matter wherein his Life, his Fortune, his Honour, and Poſterity lye at ſtake, it cannot ſeem ſtrange, if the Defendant plead in Law every advantage his Learned Council have ſuggeſted, who, beſides many things they have laid before him from the Priviledges of the Peers, do aſſure him that in Law every impeachment ought to contain in it the matter of Fact, particularly and certainly ſet down, with all neceſſary circumſtances of Time, Place, and Witneſſes, otherwiſe the Party accuſed may Demur in Law. Beſides, the Charge given againſt him is ſo general and hiſtorical, ſo aggravated with ſcandalous Gloſſes, inveſtive Expreſſions, groundleſs Suggeſtions and Pretences, falſe Collection. and Inferences, ſeeming Probabilities, with cunning Suppoſitions and Conjectures, together with the Opinions and Words of his Friends, Acquaintances, and Enemies, all ſo ambiguouſly penned by the Contriver, that he may Demur in Law upon the whole Charge for matter of Inſufficiency and Form, ſince many Inſufficiencies and Abſurdities might be obſerved in it upon a ſtrict Diſquiſition and Diſſection of Law: and indeed the Defendant cannot but deſire the laſt words of the Charge be conſidered, wherein his Accuſers pretend to be able to prove ſome of the weightieſt points by ſeveral Witneſſes, and all the reſt by ſome, and ſtrong Probabilities; which words alone his Lawyers do aſſure him are ſufficient to invalidate the whole Charge, ſince no man can be Arraigned of Treason upon ſome Probabilities, to which other Probabilities may be always oppoſed with equal colours of truth.

Many of the particulars charged upon the Defendant were done before the Pacification and Act of Oblivion paſſed in both Kingdoms, by which no remembrance is to be had of what paſſed before it; and His Maſteſty did verbally expreſs at the laſt Parliament at Edinburgh, that

*An. 1643.* "that the Defendant had carried himself during the former Troubles as became a faithful Subject, and one that tendered the Good and Happiness of his Country. There was also in that same Parliament a particular Act passed, declaring he had carried himself during the former Distractions as a faithful Servant to His Majesty, and a loving Patriot to his Country; upon which the Defendant may well plead that he is not bound to answer for any thing charged on him that was done before that Parliament, and that his Accusers do incur Punishment for going against the Act of Oblivion then passed: nor is he bound in Law, as his Learned Counsel assure him, to answer for any Words alledged to have been spoken by him unless questioned for them within three Months after they were spoken; according to the Laws of this Kingdom. But though the Defendant hath so far complied with his Lawyers as to have named the former particulars, yet it is not out of any design to escape either Trial or Justice: therefore he is ready to give an account to His Majesty of the Actions of his whole Life, in reference to His Majesties Service, whenever he shall be called to it; particularly for the Trusts and Employments his Majesty honoured him with, being so confident of his own constant unstained Integrity and Loyalty, and of His Majesties Justice, that he is not afraid of the issue of the whole Matter, himself being so Innocent and his Judge so Just; therefore he shall answer plainly and particularly to all the Matters of Fact laid to his Charge, leaving the Plea in Law, together with the necessary distinction of points of Treason from Misdemeanours, to his Learned Counsel when they shall be allowed to plead.

*Answer to Article 1.*

The Answer  
to the first  
Article.

"To the first Article the Defendant says, nothing can be more false than that he ever used any such Expressions, he knowing well his Majesties Affection to that Kingdom, and to the Liberties and Freedoms of it. There is neither Time, Place, nor Persons expressed to whom such Words should have been spoken, nor upon what occasion, nor to the People of what Kingdom they were used, nor are any of his Actions condescended on to make out what is charged on him; nor knows he who are meant by his Emisseries, Instruments or Creatures; if any have used such seditious Speeches let them be punished for them, but he cannot be answerable for other men, unless it be proved they acted by his Order and Direction: therefore the Defendant simply denies what is alledged in this Article, as basely false and forged.

*Charge.*

Article 2.

*That he hath most seditiously endeavoured to exasperate His Majesty against His Subjects of Scotland, by Invectives against them to His Majesty, even before their falling off from their Obedience: by advising His Majesty to make War against them, affirming that His Majesty would never be King of Scotland unless He conquered it, which he likewise then averred would be a Work only of three Months time; and at the same time encouraging them most treacherously to withstand His Majesty, and take from Him His Power, and His Rights, particularly, exciting them thereunto, by vilifying Speeches of His Sacred Person, That if they awed Him, He was such a Coward they might have*

have of him what they would, but if they gave him his Will, he would prove a verier Tyrant than ever Nero.

An. 1643.

Answer.

"To the first branch of the second Article the Defendant says, he appeals to His Majesty how false it is, who knows well that the Com-  
 "motions of Scotland were begun a year before he was employed in Sco-  
 "tish Affairs, which had been before that trusted to other Persons of  
 "Honour in that Kingdom; and that the Covenant was generally taken,  
 "the Courts of Justice removed from *Edinburgh*, the Tables formed,  
 "Protestations used against His Majesties Proclamations before he was  
 "engaged. His Majesty also knows well, that he had never advised these  
 "Innovations which gave the rise to these Commotions, nor engaged in  
 "the Affairs of that Kingdom but upon His Majesties particular Command,  
 "without which he had designed to avoid all meddling in them; so that  
 "nothing can be more notoriously false than that part of this Article is,  
 "That the Defendant did exasperate His Majesty against that Kingdom, or  
 "advised Him to conquer them before they fell from their Obedience. It is true,  
 "after His Majesty had thought fit to imploy the Defendant in those Af-  
 "fairs, he did give him clear advertisements of the state of Affairs in that  
 "Kingdom, not sparing his nearest Friends, as His Majesty well knows; but  
 "gave no advice, but what he thought agreed both with the Duty of a  
 "good Subject and Patriot. He never advised His Majesty to conquer  
 "or subdue that Kingdom, or to govern it as a Province; for he takes  
 "the suppressing of a Party in Arms against the King, or who were reject-  
 "ing his Authority, to be very different from conquering the Kingdom:  
 "and therefore as he simply denies the first branch of this Article, so he  
 "refers the clearing of his Innocency in this to His Majesty, (who cannot  
 "but know best what he advised him) and to the Letters he wrote to  
 "His Majesty if they be yet remaining.

The Answer  
to the second  
Article.

Comp. p. 30. and  
p. 43.

See p. 38.

"The next branch of the Article is of a piece with the former as to  
 "falshood. He hath often seen eminent Proofs both of His Majesties Cou-  
 "rage and Clemency, and never entertained a dishonourable thought of  
 "His Person; and he is able by many Compurgators to prove, that his  
 "Discourses of His Sacred Person have been always such as became a  
 "dutiful Subject, and an infinitely obliged Servant. It is not to be ima-  
 "gined he could have used such expressions before Witnesses, and if any  
 "single Persons say they heard them from him, he asserts they are Lyars,  
 "and dare not say so if he have a sword in his hand.

Charge.

That whilst he was the Kings Commissioner he did palpably foment the Diffe-  
 "rences betwixt King and Country, as particularly by these Evidences following:  
 "(viz.) Whilst he might have settled at his first Arrival all those unhappy Diffe-  
 "rences, by yielding to the People such things as would have contented the Coun-  
 "try, and which His Majesty had given him Warrant by his Instructions to  
 "condescend unto; as particularly by the removal of the Service-Book, Book of  
 "Canons, High-Commission, five Articles of Perth, and Episcopacy only limited  
 "in a moderate way; he by the contrary, upon his first coming to Scotland, being  
 "acquainted herewith, having the same represented to him to the full, did in a  
 "fomenting way, so pleasantly deny, as if he would have had some further to have  
 "been

Article 3.



*An. 1643. been sought. And whilst before his coming all his Friends and Followers, and such as did belong unto him, did resolutely stand out against that Course, no sooner was he come, but all of them perceiving his strain did on a sudden quit their former way, and violently joyn themselves to the other Party: witness amongst others the late Earl of Hadington, Sir Alexander Hamilton his Uncle, now Master of their Ordnance; ( a main stickler ) the Earl of Lauderdale, and his Son the Lord Maitland, of all men most intimate with him; to omit his Brother-in-law the Lord Lindlay, a Principal Actor in that Rebellion from the beginning; and his Cousin-German the Earl of Glencairn, who continuing long firm for His Majesty, in end ( by his secret sollicitation as is thought ) made Defection: by which and such-like he cunningly necessitated the breaking up of the Assembly at Glasgow, that the Water might be once troubled, and the Country quite abandoned unto themselves.*

*Answer.*

The Answer  
to the third  
Article.

“To the third Article the Defendant says, he was so far from foment-  
“ing the Differences betwixt His Majesty and his Subjects of Scotland,  
“that he did all that was in his power to bring Matters (which were quite  
“imbroyled when he went Commissioner thither) to a happy Close; and  
“that he did yield to them all such things as he had power to grant,  
“which he is ready to make appear by comparing his Actings with his  
“Instructions. It seems the Accusers knew well what would have satis-  
“fied the Country, but understood little what his Instructions were. The  
*Su p. 40. n. 7.* “Covenanters in all their Petitions to the Defendant expressed that no-  
“thing would content them without a Free Assembly and Parliament,  
*Su p. 50. 51.* “and the Defendant being neither instructed to do that, nor the other  
“Particulars which by the Article are falsely said to have been in his In-  
“structions, he, after he had proclaimed all the Favours he was empower-  
*Su p. 64.* “ed by His Majesty to grant, came to Him to this Kingdom, and recei-  
“ved new Instructions, according to which he proclaimed all he had War-  
“rant from His Majesty to grant: nor did he ever deny or conceal any  
“of His Majesties Graces to his People, or provoke them to new De-  
“fires, but did all was in his power to make them rest satisfied with His  
“Majesties Gracious Concessions. He also stayed with the Assembly of  
“Glasgow as long as his Instructions warranted him, and did all he could  
*Su p. 107.* “to keep them from those Extremities which enforced the Rupture; and  
“in his whole Proceedings he carried along with him not only the Af-  
“fessors His Majesty appointed him to advise with, ( the Earl of Argyle  
“only excepted ) and the Secret Council, but likewise the Bishops,  
“whose advice he got and followed: all which he is ready to make out  
*Su p. 96. 97.* “by comparing his Instructions and His Majesties Letters to him, and the  
“Letters he got from the Bishops, with his Proceedings at that time, from  
“which the falshood of this Article will plainly appear.

“Nor can he be charged with the faults of his Friends or his Follow-  
“ers. It is known how much the places where his Interest lies, were gain-  
“ed to those Courses before he was Commissioner, and yet many of his  
“friends did stand out against the Courses others then followed, though  
“they were not able to make head against the more prevailing Party  
“round about them. For the Earls of Glencairn and Lauderdale, they  
“continued in their Duty to the King till the Pacification, nor did they  
“take the Covenant ( for ought he knows ) till His Majesty allowed it;  
for

“for the Earl of *Lindsay*, he did not joyn in these Courses after the Defendant went to *Scotland*, but engaged in them from the beginning, though much pains was used by the Defendant to divert him from them. And as the Defendant is not answerable for the Actions of his Friends, much less is he accountable for the Thoughts of his Enemies, who may Charge what they please on the suspicions of his secret Solicitations, which are their own groundless and malicious Forgeries: therefore this whole Article is false, as the former are.

## Charge.

That he traiterously betrayed His Majesties Service while he was in the Frith, and had His Majesties Trust and Command of His Fleet and Forces therein: and whilst he was thus, as appeared, in Arms for His Majesty, he intended nothing less, as appears by his Friends and Followers their underhand Dealings, suggesting that his taking that Charge upon him was out of his love and respect to his Country, thereby to prevent that some other should not be put upon it, who might have made use of that Power and Force to their Prejudice, whereas he never intended any such thing; by which he did not only most basely betray His Majesties Trust, but there did also endear himself to the People, and by the same means exasperate them against their King and Sovereign. And that he was not only accessory hereto, but really guilty of the thing it self, appears by his own Discourse to divers Persons, that if he had pleased he could have landed his Forces, and done what further he was Warranted by his Commission, but that he never intended it; which Double-dealing may be yet more clearly evinced, in that he had frequent private Meetings, Correspondencies, and Practices with the Counter-party, as particularly by his Ordinary Appointments upon the Sands of Barnbougal, and other places next adjacent, where he usually kept his Meetings with some who were most desperate Leaders and Promoters of these Courses. And the Prime Instruments of the Committee and Cabinet-Counsels there amongst them, then at the very same time, and in the greatest heat of all the business, did profess and give assurance both by word and under their hands, that Hamilton was the greatest Favourer that ever their good Cause had, notwithstanding of all that the formality of the time obliged him to profess to the contrary. And not only in Scotland, (where it was generally known to be so) but even some of the Scottish Commissioners did profess to some of this Kingdom, that Hamilton had done things which they did not approve; but yet that he had been much more Friend than Enemy to the Courses of the Country, and had done much more good than evil: yea Argyle himself upon a private dispute, falling into heat, delivered, that he and those others did nothing but by Hamilton's Directions, Knowledge, or private Approbation. As also whilst he was in the same Expedition, being frequently invited by all His Majesties good Subjects then in the Northern parts of Scotland, he most treacherously betrayed them, and abandoned the business, as particularly can be instanced by the Marquis of Huntly, who being appointed to receive His Majesties Orders from time to time by Hamilton, whilst he did endeavour at the beginning at Turreff, and other places, vigorously to suppress that Party, was straitly inhibited to engage; but by the contrary, by peremptory Orders willed to suffer the Malignant Party to be the first beginners, by which Restraint the Business was totally ruined, as is notoriously known. After which, the Viscount of Aboyn, being cloathed by His Majesty with Commissions, and to have had some experimented Officers along in that Employment, the said Duke of Ha-

An. 1643. *milton did break off that probable Course, and engaged such of his own Electi-  
on and Trust, who did so evidently miscarry the Business, as thereafter they  
were to be accused by the whole Noblemen and Gentry of that Party. Like-as  
he having got Orders about the same time from the King, to send Sir Nicholas  
Byron's Regiment to assist the King's Party in the North, who could easily  
have reduced all that Country to His Majesties Obedience; notwithstanding  
thereof, and of their frequent Sollicitations to have it done, he still shifted the  
Business, and would never give way to it, pretending that he had some other De-  
sign in hand for them, though all they had to do was to Die below decks, and be  
thrown over-board into the Sea. And how often he might have put Forces great  
enough to Land, and how frequently he was invited to it, the whole Kingdom  
can bear witness.*

*Answer.*

The Answer  
to the fourth  
Article.

See p. 114.

See p. 144.

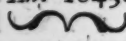
See p. 124.

See p. 133.

See p. 131, 133.

"To the fourth Article the Defendant says, it is most false that he be-  
trayed His Majesties Trust or Service when he commanded the Fleet,  
"and that he is ready to justify every step of his Actings there by His  
"Majesties Instructions and Letters, which he received every third or  
"fourth day when he had that Employment; nor is he answerable for what  
"others might have said of him. His Majesty knows well that he did not  
"desire that Employment for himself, but conscious of his own unfitness  
"entreated to be excused from it; this His Majesty not allowing, he un-  
dertook the Service: and His Majesty likewise knows what Informati-  
"ons and Advices he sent him, and that he gave punctual and ready Obe-  
"dience to all the Orders he received. Nor was his Service there useless,  
"for besides the great Diversion it made by the huge Bodies were left to  
"guard the Coast, he took divers Ships, particularly some coming from  
"Germany with many Officers, who were returning home to offer their  
"Service to the Covenanters: and his Carriage was so far from making  
"him gracious to that Party, that none was more odious to them, which  
"appeared in the Curses and Reproaches were cast on him as he passed  
"through the streets of *Edinburgh* to possess the Earl of *Forth* of the Ca-  
"stle, a little after the Pacification; nor had it been possible for him to  
"have escaped at that time more sensible Affronts, if he had not taken  
"some Leading men of the Covenanters along with him. When the De-  
"fendant was in the *Frith*, he sent His Majesties Proclamation to those  
"then in Arms, and used all means possible to engage them to a Compli-  
"ance with it; nor had he any Conferences with them in secret when he  
"was aboard, but had always some Witnesses by when any were sent  
"from the Covenanters to him, and did immediately give His Majesty  
"an account of all that passed, for proof whereof he desires his Letters  
"to His Majesty be examined. Neither had the Defendant any Orders  
"to land his Men till His Majesty was come to *Berwick*, but had express  
"Orders to the contrary: and it was thought, that his lying in the *Frith*  
"did more amuse the Enemy than his Landing could have prejudiced  
"them, since they being uncertain where he might land, great Bodies were  
"kept upon the whole Coast, which, if he had landed, had gathered  
"together against him, and had been too strong for him, being about  
"four times his number. Nor did the Defendant make any Appoint-  
"ments on the Sands of *Barnbougal*, as is most falsely alledged; nor did he  
"ever set his foot on Land, except on the Isles of *Inchcolm* and *Inch-  
"keith*, all the while he lay in the *Frith*. It is true he was once very near  
"the Sands of *Barnbougal*, but on a very different design: he chasing a  
"Bark



"Bark that run her self aground there, was likewise stuck fast, and had *Am. 1643.*  
 "almost been taken Prisoner, divers Volleys passing betwixt hismen and   
 "those on the Land; but his Boat-men with much ado got him off. Nor *See p. 138.*  
 "had the Defendant any Orders to proceed to Hostilities till two of his  
 "Regiments were called to the Camp, nor could he safely land the other  
 "that remained consisting only of 1700 men. It is true, upon His Ma-  
 "jesties Orders he was resolved to do the Enemy all the mischief he could,  
 "but about thirty hours after he got these Orders, ( in which time he  
 "was considering where he was first to make an Impression, and did go  
 "out himself to have fired some Ships, but by a mischance was run on a  
 "Shelve, so that he lost that Tide ) they were countermanded by new  
 "Orders: for His Majesty having resolved to Treat with the Enemy, *See p. 139.*  
 "commanded him to go on to no more Hostilities, but to come and wait  
 "on His Sacred Person; so that the Defendant having in all things fol-  
 "lowed His Majesties Orders in that Service, was well approved of by His  
 "Majesty. Nor can any thing be charged on him from what the Lead-  
 "ers of the contrary Party might have said or written of him, either then  
 "or since, which might have been done on design either to encourage  
 "their own Party, or out of hatred to the Defendant, that thereby they  
 "might possess His Majesty with jealousies of him. Nor was the Defen-  
 "dant ever invited by His Majesties good Subjects to come North, ex-  
 "cept by one Letter the Earl of *Airly* wrote him, which he got after His *See p. 140.*  
 "Majesty called the two Regiments from the Fleet; and about that time  
 "His Majesty commanded him to stop all Hostilities, and give attendance  
 "on His Person. He had likewise express Orders from His Majesty not *See p. 123.*  
 "to think of the North, till some good were done in the South; and it  
 "is most fallly alledged, that when he was there, he abandoned the Mar- *See p. 117.*  
 "quis of *Huntley*, who was taken Prisoner before either he or his men  
 "were Shipped: and the Orders he sent that Marquis were by His Ma-  
 "jesties express Commands, founded on very good reason, that he should  
 "not make a Rupture till His Majesties Forces were drawn together, and  
 "near the Borders, lest ( as by the event did appear ) the Enemy should  
 "have overpowered him if he begun too soon; and as the Defendant  
 "hath been informed, that Business was ruined, not by the Restraint these  
 "Orders gave, but by the Treachery of some of the Defendant's Accu-  
 "sers, who were then in Arms against him, and took that Marquis un- *See p. 135.*  
 "der Trust. And when the Viscount of *Aboyn* came to the Defendant *137.*  
 "with His Majesties Letters, ( which were of a very old Date ) he was  
 "supplied to his hearts desire, as himself professed. His Majesty had be-  
 "fore his coming called away two of the Regiments that were with the  
 "Defendant, and he had Orders not to weaken the other; so false is it  
 "that he had Orders to send *Byron's* Regiment to the North: but he gave  
 "the Viscount of *Aboyn* some experienced Officers, Arms, Ammunition,  
 "and Money. And the Defendant hath been well informed, that the Mis-  
 "carriage of that Attempt did not flow from those he sent with that Lord;  
 "but that being encountred by Souldiers commanded by some of the De-  
 "fendant's Accusers, his Lordship betook himself to his heels: but the  
 "others whom the Defendant sent with him behaved themselves gallant-  
 "ly, and laid all the blame of their bad success on that Lord. It is also  
 "false that *Byron's* Regiment was kept to die below Decks, since from  
 "the time they went aboard till they were discharged, there died not ten  
 "of their number; so false is this Article in all its branches and assertions.

An. 1643.

Article 5.

Charge.

That in all his demeanour he went about to advance the designs of that People against the King, as by secret encouraging them to persist in their obstinate Courses, so by private discouraging of well-affected men to persevere in their Allegiance; and in particular did advise some Noblemen (who craved his Opinion how they should behave themselves in these Distractions) to agree with the Country, and go home and make their own Peace. Like-as after the Pacification at Berwick, continuing in his wonted strain of incensing, in an underhand way, the People against their King, being demanded why he denuded himself of his former Commission; his Answer was, because he knew the King intended to keep nothing of that which at that time he had condescended unto, otherwise he would not easily have parted with the Honour of that Service. By which he did so wound the King in the Opinion of His Subjects, of the sincerity of His Intentions, That as no one thing did at that time breed more rubs and difficulties to His Majesties Service, so is there nothing by which the People are more readily and easily stirred up to the present Rising in Arms, than the Opinion they then, and by his continual underhand working, have since drunk in of the King's Intention to reverse (in case he should prevail in England) all the Acts and Favours he had condescended unto to His Subjects of Scotland.

Answer.

The Answer  
to the fifth  
Article.

"To the fifth Article the Defendant says, he ever studied by all the means that became a good Subject and Countryman to bring the Differences betwixt His Majesty and His Subjects to a happy Temper; and he desires the Malice of his Accusers in forming this Article (as all the rest) be considered, wherein base Discourses and Advices are fastned on him without naming the Persons to whom they were given: and in this he cannot but commend his Accusers Prudence, who have named no Person till they have tried upon whom they can so far prevail as to be guilty of the wickedness of owning such Lies. The Defendant can prove the contrary by many, in whose Preservation it is to be supposed he is more concerned than in any they can name, with whom he used his utmost endeavours to perswade them to adhere closely to His Majesties Interests, which prevailed on some, though not on all; nor did he advise any to agree with the Country, till he knew His Majesty was resolved to end the Business in a Treaty, in which case it could be no Crime to advise any to make their own Peace; nor did he ever infuse into any Person a jealousy that His Majesty would void the happy Settlement of Scotland: sure he is, he said and did all was in his power to root these jealousies out of the Subjects minds, which he can prove by innumerable Witnesses and Presumptions; and no man durst say he heard any of the Discourses mentioned in the Article from the Defendant, if he were in a capacity to call him to an account for it. Nor did he desire to be free'd of his Commission on the account that is falsely alleged in this Article, but finding his continuing in that Place gave a Jealousie not only to the Country, but to the Counsellours and Officers of State, as if too great a Trust had been heaped on one Person; and apprehending that the expence and greatness of that Character continuing long in one man, would breed Envy, and much retard his Majesties Service, he desired a fitter Person might be put in that High Trust, and that he might be suffered to continue about His Majesties Person, who he supposes does remember well upon what grounds he desired to be

"free'd

Sup. p. 146.

"free'd of that Great, but Invidious Character : thus this Article is also *Art. 1643.*  
 "intirely false.

## Charge.

*That in the Petition to His Majesty for discharging the Annuity (which was* Article 6.  
*not so much pretended for that, as to be a pretext under which a firm Bond and*  
*Association might have been contracted amongst all Loyal Subjects, for the Pre-*  
*servation of the Kings Person, Honour, and Authority, and a strict Conjunction*  
*amongst themselves) he could not be induced to put his hand to it, until a Clause*  
*conceived in favours of His Majesty to the effect above-expressed, ( as too*  
*great an eye-sore ) was dast out ; and the same thus dast being sent up to*  
*Court, and the desire of the Petition most Graciously condescended unto by His*  
*Majesty, and delivered unto the Earl of Lanerick, chief Secretary, the same*  
*was kept up to the great amazement of all those Noblemen and Gentlemen who*  
*had signed the same, and total discouragement of others to appear in that or*  
*any such Court thereafter.*

## Answer.

"To the sixth Article the Defendant says, that he sees there is nothing The Answer to the sixth Article.  
 "so false but his Enemies have the impudence to fasten it on him, since  
 "he was one of the chief Contrivers and Promoters of that Petition, as  
 "he can prove by hundreds of Witnesses ; nor did he dash, or cause to be See p. 211.  
 "dash out, any Clause that was conceived in His Majesties favours, which  
 "his Enemies with their usual fallhood say was too great an eye-sore. It  
 "is true, he saw divers Draughts of a Petition against the Annuities,  
 "and some of them had expressions in them which the Judicatories of  
 "that time would have declared contrary to Acts of Parliament, which by  
 "the advice of good Lawyers, all that were well-affected to His Majesties  
 "Service rejected ; and yet the Draught agreed to will be found to con-  
 "tain very plainly the Assurances of their Fidelity to His Majesty : and  
 "that Draught being agreed on, the Defendant sent it to all the Places  
 "where he had Interest, and procured very many Subscriptions to it ; so  
 "unjustly is the Defendant charged in this Article. But as these Subscri-  
 "ptions were thus procured, the Council stopped all further Proceed-  
 "ings in that Business by a Declaration, forbidding any to subscribe it ;  
 "nor did His Majesty send any Answer to those Petitions to the Defen-  
 "dant. It is true, by his Instructions he did empower them to discharge  
 "the Annuities to such as had petitioned about them : if this was not See p. 220.  
 "done, it was not only the Defendants deed, but was the concurring Opi-  
 "nion of the others joyned with him in Trust by His Majesty, who he  
 "doubts not shall be able to give a very good account of that, as of all See p. 223.  
 "the other particulars committed to their Trust, when-ever His Majesty  
 "shall call them to it, and shall shew him very good reasons why they did  
 "not proceed any further in that Affair.

## Charge.

*That since he left His Majesty at York, he hath been still labouring to fru-* Article 7.  
*strate the good Intentions of His Majesties faithful Subjects of Scotland, and*  
*to bring Matters to the Pass they are now at, which may be clearly evinced by*  
*the particulars which follow. First, when some Noblemen of that Kingdom*  
*well-affected to His Majesties Service, perceiving the Intentions of some there to*  
*engage that Nation in Rebellion with the Malignant Party here, made offer of*  
*all their best Services and ready endeavours to prevent the same, for themselves,*  
*and in the name of all the Kings greatest and best-affected Party there ; he, to*  
*disappoint those promising and evident Courses, thrust himself into the Business,*  
*and*



An. 1643. and in a very seeming plausible way undertook to keep that Kingdom in Peace and Quiet, and from attempting any thing upon this Nation, or against His Majesties Service now depending here, and (to make it appear the more specious) without making use of any Force, or putting His Majesty to any Trouble or Charges; and withall solemnly engaged to break off all his Alliance, Ties, and Friendship with the Marquis of Argyle, (who doth make himself so much the Head of that Rebellion against His Majesty) or otherwise perswade him to acknowledg himself, and become, a good Subject, and that betwixt and three Months thereafter at farthest: the effect of all which undertaking had this result, First, that immediately upon his return to Scotland a Convention of the Estates was indicted without the King's knowledge or consent, a Precedent whereof can never be shown in any Records; which coming to His Majesties knowledge, He did immediately direct a Letter under His own Hand, willing that Hamilton, and some other of his Complices, who had His Majesties Trust for the time, should declare the said Meeting Illegal, and disapprove it in His Majesties Name. About the time of the Receipt of which Letter the said Hamilton, and some of his Cabal, did employ the Earl of Calander from them to speak with a great many Noblemen of the Kings Party, and take their Advices in what was to be done; and they who understood nothing of His Majesties Letter (it being altogether kept up from them) declared all in one voice, their Judgments were that His Majesty should disclaim the Convention, and declare it Illegal, and that they would all be willing to joyn with Hamilton and his Party, and take their Lives in their hands to maintain His Majesties Honour and Authority, and free themselves from the Slavery of those rebellious Tyrants. It was answered them again by the said Earl of Calander, (His Majesties Letter being still suppress'd) That the King would needs approve of the Convention with Limitations; To which it was replied, That they behooved either to be very ignorant or unfaithful who had given His Majesty such Advice, seeing those People would never confine themselves within Limits, or take a part, if it should be left them in their power to extend themselves and over-reach all; and that they would on no terms assent to any such Course, as being intended for nothing else but a hollow undermining of His Majesty and all His faithful Subjects. So they parted with little satisfaction on either hand, and some days thereafter the said Earl of Calander was again directed to the same Parties, to perswade them still to the former Overture, but to no effect: yet in end, lest the Service might seem to suffer by so much difference in Opinion, they desired Calander to shew Hamilton and those of his Party, that since he was only trusted and employed by His Majesty in the Business, their Affection and Tenderneſs to the Service should make them very unwilling to differ with him in the way; and however in their own Judgments they did no way approve that the King should so far wrong His Authority, as to allow of any such Illegal Proceedings, which did portend from bad Causes worse Effects; yet since His Majesty would do it, and they needs have it so, they should go along, but with one Caveat, which was, That if the Convention did not observe these Limitations prescribed by His Majesty, in that case, that they should protest, and withdraw presently from the House; and that then all who were for His Majesties Service should immediately joyn themselves together, and take the Field. This being solemnly concluded, and with much attestation, it was resolv'd, that all who did affect the Kings Service, and had Vote in the Convention, should be present there, upon certain hopes that they should be able to ballance either by Voices all violent Courses, or at least to protest against them, and adhere to His Majesties Service and Authority in a vigorous way. But all their great Promises

ses and fair Assurances were either not intended, or very soon forgotten: for An. 1643.  
 whilst it was the first Act of the Convention, after His Majesties Letter was  
 read, to Voice themselves a Free Assembly as any had ever been kept in that  
 Kingdom, notwithstanding of the Restraints in His Majesties Letter, and  
 that in that case Protests and Declarations, and every thing else in His Ma-  
 jesties behalf were faithfully assured, they came so short of that, as when Ha-  
 milton's Voice was asked, and all expected he should have made a Protest, he  
 pronounced so doubtful an Oracle, as Argyle seeming to question of what spirit  
 it came, (though no question it had been oft so concluded among them the  
 more to possess others with panick fears) desired he should explain himself, if  
 that he meant not thereby any Protest; who answered, that he never intended  
 to protest against a National Convention, and that it seemed his words were  
 very much mistaken. To second this, his Brother Lanerick, the King's chief  
 Secretary, rose up, and had a Discourse to qualifie Hamilton's expressions, and  
 free them from all such disloyal blemishes, as a Protest in the Kings behalf: so  
 all who were to have declared themselves for His Majesty, being surprized by so  
 strange and unexpected a way, withdrew, and retired themselves from the  
 Meeting in a general Discontent. And yet their Affections being such to His  
 Majesties Service, as they were unwilling to leave it on these Terms, how-  
 ever so badly handled, would not let it rest there, but would yet put him a little  
 further to it, making again the offer of all their best Endeavours for His Ma-  
 jesties Service; desiring that since he was only the Person chiefly employed by  
 His Majesty, and one who had most interessed himself in the King's Trusts,  
 that they might be directed by him in the matter of His Majesties Business, how  
 to carry themselves, and whether or not it were more fitting for the Service that  
 they should sit in the Convention, or absent themselves, or do whatsoever else.  
 He was so far (notwithstanding of his Employment and Trust) from giving  
 information, encouragement, or advice, as all that he returned them for their  
 Affection and Faithfulness to His Majesties Service, was, That they might use  
 their own Discretions, and do as themselves should think fit; which did so  
 evidently discover unto them his hollow-hearted Cunning, the Ruin by conse-  
 quence of His Majesties Affairs, the slight and cold way they themselves were  
 used, and the ticklish condition he had so mired them into, as they seemed con-  
 strained for the most part to keep the Convention, and countenance all those Il-  
 legal and Rebellious ways were taken in it. And it is likewise to be remem-  
 bred, that notwithstanding His Majesties Letter, wherein He declared His ex-  
 press Pleasure anent the discharge of that Illegal Indiction, that they did not  
 only suppress the same, and keep it up from the knowledg of the King's faith-  
 ful Party there, but also did procure from His Majesty an allowance to that  
 Illegal Meeting, contrary to His Majesties Pleasure already expressed unto  
 them, and the wishes and desires of all the faithful Party in that Kingdom.  
 It is also to be called to mind, that after all hopes and probabilities of the Kings  
 Service in the Matter of the Convention, were absolutely deserted and given  
 over, that Will. Murray, who was commanded by the King to Agent His  
 Affairs there then, desired a Meeting of those of the Kings Party, who had  
 already kept these two Appointments with Calander before the Convention, who  
 (notwithstanding His Majesties Service had been so grossly and palpably already  
 miscarried, and they themselves so notably abused in it) being willing to  
 study rather the Remedies than regrave the Disease, and redeem the Time ra-  
 ther than complain of its loss, once for all were content to hear what could be  
 propounded for the recovery of Business, which only proved, that they would  
 undertake, and joyn to re-gain that After-game which a few had spoiled, and  
 all

*An. 1643. all given over. Notwithstanding whereof they gave it Will. Murray back in his Commission to Hamilton and his Complices, that if they would really and even down put on a Resolution to appear vigorously and to purpose in the Service, they in that case (to shew they should not mingle themselves nor any of their particulars) would be willing to follow, were it Hamilton or any, in what should prove to the advancement of the Service: otherwise, if they thought that too much, that they would be willing to joyn hand in hand, and put their Lives and Fortunes and all together at the stake with them; and if that did not satisfie, but that they esteemed it too rash a Business for men of so much cunning to engage in, that they would but approve them to put it to a hazard, and they would willingly take their adventure, which should they carry they could be very willing that Hamilton and his Party should have the esteem of it, did they miscarry or succumb, that he and his might take their own Course of Safety without being concerned in their Misfortunes. This Commission being home and heartily delivered; it was promised by Will. Murray, that Hamilton and his Party should be presently put to it, and an Answer returned; for the more hasty dispatch whereof, they sending along one of their own number to expedite the Return, Hamilton and his Complices being several times convened and pressed upon it, did absolutely refuse to meddle in that kind, which was all their Answer: so that the other being willing, notwithstanding of all these hollow-hearted Treacheries, both before, in the time, and after the Convention, either to follow, joyn, or hazard alone in His Majesties Service, would they but approve it, they refused all either to do alone, joyn, or suffer others to do it; after all which there could be nothing resting but an invincible necessity to know His Majesties own Mind, since they who had his sole and absolute Employ and Trust did so much abuse it to His Disservice.*

*By all which points, circumstances, and cunning fetches, to bring this Convention to the wished period, it may clearly appear to every undeluded eye, that he is accessory to that bad Plot of raising this Army in Scotland, to disturb the Kings Affairs in this Kingdom, that so all being brought to a Chaos of Confusion, he might the better fish his hopes and ends from amongst so troubled waters.*

*Answer.*

*The Answer to the seventh Article.*

*"To the seventh Article the Defendant says, he does not much wonder that his Enemies have filled this up with many Falshoods, since they have the impudence in the former Articles to fasten many things on him which were known to His Majesty to be Falshoods: but no wonder their Malice does culminate in aggravating the particulars of this Article, they being recent and passed since His Majesty was in Scotland, and since the Defendant had the Honour of waiting on His Majesty, and giving him more particular Informations than Letters or Messengers could carry; and the tragical event of Affairs seems to offer colours (as is usual in such cases) for charging those who had the chief Trust in them. But the Defendant doubts not he shall be able to make appear the fallhood of this Article, in all these particular instances with which he is charged: and First, His Majesty knows best of any if he did thrust himself into Affairs, and if he did not act only as he was commanded and employed by him; nor does the Defendant know who those Noblemen were that made such Offers: His Majesty knows better if any such were made. The Defendant knows well that some of his Accusers made some Offers to Her Majesty about eight Months after His Majesty had sent him to Scotland: but as these Offers were*  
"de-

*Comp. p. 212. with p. 195.*



"designed to make His Majesty the first breaker, which would have An. 1643.  
 "been infinitely to the prejudice of His Service, and have given incurable  
 "jealousies to the Subjects of all His Majesties Concessions, so no rational  
 "Methods were proposed for prosecuting them; and it seemed they flow-  
 "ed from the desperate State those Lords were in, who had engaged as  
 "deep against the King as any had done; but afterwards not meeting  
 "that Esteem and those Rewards which their Ambition and Vanity had  
 "designed, and their Fortunes being ruined, they pretended much zeal  
 "for the Kings Service, but offered no rational appearances of being able  
 "to prosecute what they undertook. But the Defendant, as both their  
 "Majesties well know, laid the whole Matter before them, with his own  
 "Opinion, and the grounds on which he went: and they do also know  
 "with what impudent Falshood it is alledged, that he undertook to keep Su p. 214.  
227, 228.  
 "the Kingdom of *Scotland* in Peace, since both in his Discourses and  
 "Letters he often said, he would undertake for none but himself; and  
 "that he very much feared the Conjunction of that Kingdom with the  
 "Two Houses, and that the utmost of his Hopes was to keep off things  
 "by delays for that year: and in this he appeals to His Majesty, and to  
 "all in the Court with whom he kept Correspondence. And for his En-  
 "gagements to break with the Marquis of *Argyle* if he did not faithfully  
 "adhere to His Majesties Interests, it is well known how ill an under-  
 "standing, and how little Correspondence, hath been betwixt the Defen- Su p. 210.  
 "dant and *Argyle* these twelve Months past. His Majesty also knows,  
 "that when the Chancellour of *Scotland* was sent up last, the Defen-  
 "dant wrote to him to look well to him, for it was believed (and it  
 "was the Defendant's own Opinion) that if he went to *London* he  
 "would engage in an Union with the Two Houses, in name of the King-  
 "dom of *Scotland*, of which when His Majesty challenged the Chancel-  
 "lour, he denied it, and said, These were Jealousies infused into His Ma-  
 "jesty by the Defendant; so far was he from abusing His Majesty with  
 "vain Hopes. Nor is it strange that his Enemies charge Falshoods on  
 "him in Matters pretended to be transacted among few hands, since they  
 "are so impudent in Matters that were publick, as to say that immedi-  
 "ately upon his return to *Scotland* a Convention of Estates was called, Comp. p. 194.  
and p. 218.  
 "for that was not done but after he had been sent to *Scotland* almost a  
 "whole year: and all that time the Defendant did render His Majesty  
 "such Services, that he was pleased out of His Royal Goodness not only  
 "to write him many Letters of Thanks, but to confer divers marks of  
 "His Favour on him. And when the Convention of Estates was ap-  
 "pointed to be called, the Defendant did all he could to oppose that Su p. 218.  
 "Resolution, and entred his Declaration against it, which is yet upon  
 "Record, having omitted nothing he could either say or do to hinder  
 "the Calling of it, for which Service he received a particular Letter of  
 "Thanks from His Majesty: and the Defendant says, that there was no Su p. 232.  
 "Letter written from His Majesty to him, to hinder the meeting of  
 "that Convention, nor does he know who are meant by his Complices  
 "or Cabal, as they are afterwards called, except those Lords whom His  
 "Majesty joyned with the Defendant in the Instructions he sent them.  
 "The first Article of these being that they should do all was possible for Su p. 219.  
 "avoiding Divisions among His Majesties Subjects, and a Latitude be-  
 "ing left for them to do what might be most for His Majesties Service Su p. 243.  
 "on their perils, and as they should be answerable, they were to confi-

An. 1643.

See p. 230.

See p. 226.

See p. 224.

"der what was most to His Majesties Service. It is true, His Majesty  
 "did direct a Letter to the Council to forbid the meeting of the  
 "Convention, but did remit it to the consideration of the Lords  
 "whom he had trusted, whether it were fitter to deliver or conceal it;  
 "upon which they were obliged to consider what was best to be done;  
 "nor was it fit for them to divulge that Letter, till it was considered  
 "whether it should be made use of or not. But the Lords that had His  
 "Majesties Trust did call some meetings of all who were judged best-  
 "affected, to consider what Advices were to be offered to His Majesty;  
 "and they all did return their joynt-Advices, with the reasons that pre-  
 "vailed with them, to His Majesty, wherein the Defendant was but one  
 "of seven, and so is not to be charged nor answerable for the Advice  
 "so given; since they only offered Advertisements to the King, with  
 "their Advices and the reasons that prevailed with them; and as His  
 "Majesty (who could only judge what Advices were best) gave Orders,  
 "so they did Act: if the Advertisements sent were false, or their Ad-  
 "vices against Law, they are accountable for them; but are not bound  
 "to answer for the good success of every thing they advised, that being  
 "in the hands of God: and neither the Defendant, nor any other joyned  
 "with him in Trust, did advise His Majesty to authorize the Convention,  
 "but only to allow them liberty to sit, so they kept within the prefixed  
 "Limits. And there was good reason for offering such Advice, His Ma-  
 "jesties Affairs not being in so promising a condition that it was fit for  
 "them to begin the Rupture; and it was certain that these who called  
 "the Convention without His Order, would have acted in it notwith-  
 "standing His Prohibition, which must have either affronted His Au-  
 "thority, or precipitated a Breach, which could not have been done at  
 "that time without the Ruin of the King's Affairs in that Kingdom.  
 "The Defendant did at that time desire the Earl of *Calander*, that he  
 "would use his Endeavours with some of these who pretended zeal for  
 "the King's Service, and are now the Defendant's Accusers, that they  
 "would lay aside all private Animosities and concur in His Majesties  
 "Service, and offer their Opinions with the Method in which they de-  
 "sired things might be carried on, and the Defendant offered them all  
 "possible satisfaction in every thing, for which they stood at a distance  
 "from him: but that Earl brought Answers very far different from what  
 "they pretend they sent, and all wise men looked on their Propositions  
 "as so extravagant and unpromising, that none could think them fit to  
 "be followed. But the Defendant denies there were any such Engage-  
 "ments passed as in the Article is falsely alledged, yet when the Con-  
 "vention sat the Defendant did often and no way ambiguously, but  
 "very plainly, declare he did not own their Authority, nor would give  
 "obedience to any of their Acts that were beyond the Bounds prefixed  
 "in His Majesties Letter: upon which he withdrew with divers of his  
 "Friends, and did advise and prevail on many to follow his Example.  
 "It is true, some came and asked his Advice, of whose Fidelity he had  
 "no reason to be assured, judging not without grounds that they came  
 "to him on design to trepan him; and therefore he told them, that for  
 "his own part he was resolved not to acknowledge their Authority, nor  
 "give obedience to their Commands, by which they might easily judge  
 "what he would advise, seeing his Practice. It is also false, that the  
 "Defendant procured from His Majesty an allowance to that Conven-  
 "tion

tion, since the Letter His Majesty wrote was so far from allowing it, *An. 1643*  
 "that it particularly challenged the Illegality and Nullity of that Meet-  
 "ing; and the Convention was so far from thinking themselves Authori- *See p. 232.*  
 "sed by it, that they refused to stand to it, or so much as to put it on  
 "Record. It is also false that any such Offers, as are vainly and without  
 "truth said to have been made to Mr. Murray, were ever brought by him  
 "to the Defendant, or others intrusted with him: he was indeed im-  
 "ployed to deal with them to overcome their untoward Jealousies and  
 "ambitious Vanity, but with no success, as he reported, and is ready to  
 "make good; but they venting their implacable Hatred and ill-ground-  
 "ed Jealousies of His Majesties faithful Servants, left the Kingdom in the  
 "Summer, and possessed many with such Prejudices, that they infinitely  
 "retarded His Majesties Service, and divided the small Party that adhe-  
 "red to him: yet His Majesty sustained no Prejudice from Scotland all that  
 "year, which was the uttermost that ever the Defendant gave His Maje-  
 "sty any hope of. But it is most basely false, that the Defendant did  
 "bring the Convention of Estates to the wished period, since he did all  
 "that was in his power to hinder its Sitting, and to get it broken up as soon  
 "as it sat down. It is also false that the Defendant was on the design of  
 "raising the Army in Scotland, which he opposed by all the probable and  
 "honest ways were in his power, and was ever ready upon the least ap-  
 "pearances or hopes of Success, to have hazarded his Life and Fortune to  
 "hinder it: and therefore sent frequently to England for those Supplies,  
 "without which their Attempt could signify nothing, but the exposing  
 "the Kings Party in Scotland to the scorn and malice of their Enemies.  
 "But the necessity of His Majesties Affairs in England did so retard the  
 "Answers, that opportunities were lost, and the other Party had prevail-  
 "ed over all, which forced the Defendant to fly out of that Kingdom,  
 "Order being given for seizing on his Estate, and taking and imprisoning  
 "his Person; and yet Affairs there are not quite desperate, but the De-  
 "fendant had many very probable Propositions to have offered to His  
 "Majesty, the Maintaining of whose Prosperity and Authority hath been  
 "the constant design of his whole Life.

## Charge.

*That he hath endeavoured to set on foot a Title to the Crown of Scotland; Article 8.  
 having Treated with Forreign Princes touching his Claim thereunto, and de-  
 sired their Aid and Assistance to his Right, protecting and maintaining such as  
 wrote Treatises in his behalf, and Claim to the Crown.*

*Besides all which particulars of his treacherous sowing of Sedition 'twixt  
 His Majesty and His Subjects, his undervaluing and reviling his own Sa-  
 cred Person, his fomenting all the unhappy Differences betwixt King and  
 People, his exciting of each against the other, his pouring of oyl into the  
 fire betwixt them both, his direct Attempts upon the Crown, and intenti-  
 ons to Usurp, his late Carriage doth give too evident a Character of his in-  
 vincible Disloyalty; as particularly his treacherous Carriage, before, in the  
 time, and at the late Convention, his juggling in the business of the Counter-  
 petition, and that of the late pretended Bond, which are so notorious Truths,  
 and so evidently to be instructed by all His Majesties good Subjects, but more  
 particularly by those with whom by His Majesties special Command he kept  
 a seeming Correspondence. Besides divers other circumstances, whereby it  
 may be clearly demonstrated, that he is of the Party with them that have rai-*



An. 1643. *sed this Rebellion in Scotland, namely, that in the Instructions given by that Faction to the Earl of Lowthian in his late French Negotiation, one of the particulars earnestly recommended to him, was to desire of the Crown of France Restitution of the Dutchy of Chastleherault to him, which in all probability they would never have done in his favour, if they had taken him for an Enemy to their designs and purposes.*

*Last of all it is craved, that in respect of his unexpected Arrival here, there may be liberty to add and amplifie this Charge as occasion shall offer.*

*One particular omitted above, is not amiss to be here inserted, at what time the business of the Scottish Covenant was at the greatest height, a distressed Gentleman of Scotland, Sir John Ferguson, desired the Loan of some Money from Sir John Hamilton of Broomhill, (whose Relation and Interest every way to the Duke are known to every one who knows them both:) who answered him in flat terms, he would neither give nor lend him a penny, except he and his Sons would bind themselves to go home and sign the Covenant, upon which Condition he offered to lend him what he sought.*

*We do engage from our faithful respects to His Majesties Service, without any consideration or interest else whatsoever, to make good this Charge, some of the weightiest points by several Witnesses, and all the rest by some and strong Probabilities.*

*Answer.*

The Answer  
to the eighth  
Article.

“To the eighth Article the Defendant says, here lies the Master-piece  
“of his Enemies Malice and Calumny; to charge him with a point trea-  
“sonable in the highest degree, without offering one circumstance to make  
“the Truth of it appear probable: and such publick things as the setting  
“on foot a pretence to the Crown, the Treating with Forreign Princes  
“touching his Claim to it, the Authorising and Protecting of any who  
“wrote in defence of his Title, must have been notour and known things,  
“and yet no particular is here named; which clearly shews the Forgery of  
“the whole, on design to beget in His Majesty Jealousies of the Defendant,  
“who knows of no such Title to the Crown, but acknowledges His Ma-  
“jesty's and His Posteritie's, (whom he prays God to preserve) their un-  
“doubted Right to the Crown. And as the Defendant acknowledgeth  
“the great Honour of his Relation to the Royal Blood, so there is no  
“more reason to Charge him on that account than to Charge any others  
“who are more nearly related to His Majesty, as are all the Noble branches  
“of the Prince Elector *Palatin's* Family. But as the Honour of that near-  
“ness of Blood had no other effect on the Defendant's Progenitors, but  
“to quicken them to serve His Majesties Ancestors with the more zeal,  
“which appeared most signally in the Reigns of *Q. Mary* and *K. James*  
“His Minority; so the Defendant hath in that always traced their steps in  
“the same faithful zealous Loyalty; nor can so much as a colour for any  
“of the impudent Forgeries in this Article be made out. The Defen-  
“dant never heard till he saw it in his Charge, that any did ever write  
“for his Title, nor does he believe it a whit the more for that: but if  
“any such thing be, let the Authors of such treasonable Books be pu-  
“nished, according to the merit of so high an Offence; sure he is, he  
“shall neither protect, nor encourage them. But he does not doubt  
“this is a Forgery as all the rest are. The other particulars are an Invi-  
“dious needless repetition of what hath been before falsely alledged in the  
“Charge,

"Charge, and so is already answered. The particular of the Earl of *Lowthian's* Instructions can be no Presumption, much less Proof against the Defendant, since these Instructions were signed long before there was a Breach betwixt His Majesty and that Kingdom: they were also brought to His Majesty, who signed them, and not only by His written Instructions did appoint the Earl of *Lowthian* to endeavour the Restoring of the Defendant to his Right in *France*, but did also recommend it verbally to *Lowthian* very earnestly. For the Discourses that passed betwixt Sir *John Hamilton* and Sir *John Ferguson*, the Defendant knows nothing of them, nor is he accountable for what others, whatever their Dependence on him be, have spoken; he knows not whether Sir *John Ferguson* ever took the Covenant or not, but this he knows well, that he did recommend him to His Majesty, as one that suffered much for adhering to his Duty to His Majesty, and did procure several Marks of His Majesties Favour for him.

"And thus the Defendant hath plainly, and in as short terms as was possible, and with all the Moderation such things can allow of, answered all the particulars Charged upon him; wherein he doubts not but it does appear, especially to His Majesty, ( who knows well how he is able to make out most of his Answers from His own Royal Commands, Warrants and Instructions ) with how much Falshood and Malice he is accused, so that little credit will be given to the impudent, base, groundless, and improbable Forgeries, devised to ruin the Defendant; who, as he is ready quickly to adduce the main and most substantial points of his Evidence, so he begs, as an Act both of Justice and Goodness, that his Accusers have a competent time prefixed them for the bringing in and finishing their Evidence, that if the Defendant be found Guilty, he may receive condign Punishment, and if Innocent, that he be exonerated of this Charge, and liberated of this Disgrace, and suffered to accuse his Accusers for the Falshoods, Lies, and Calumnies, with which they have studied to abuse His Majesty.

The Duke having got the Charge, desired Mr. *Murray* would earnestly move the King that it might be put to a speedy Examination, and that his Accusers might be ordered to go about it as soon as might be: they excused themselves, saying, it was impossible while the Com-motions lasted, to get their Evidences brought. The Duke hearing of this, said it was the saddest thing imaginable to keep him under such high Imputations so long and indeterminate a Term: for though no man wished a speedy end to those Troubles more than himself, yet there were sad grounds to fear they should prove too lasting; and it was hard to keep him under so deep a Disgrace, and such cruel Aspersions, to that uncertainty. Much was also alledged from the Laws of *England*, and Priviledges of the Peers, against this Procedure. His Enemies fearing these Reasons might at length be heard, procured an Order in the beginning of *January*, for sending him, first to *Exeter*, on his way to *Pendennis*, a Castle upon *Falmouth* in *Cornwall*, to be kept Prisoner till his Trial were ready to be gone about.

*Lanerick* was as active as he could both for his Brother and himself. The particulars he was charged with did not amount so high,

*Lanerick* being  
also Prisoner,  
does all he can  
for their Vin-  
dication,

An. 1643. and were chiefly his Concurrence with his Brother : for the Affection and Confidence betwixt them was so entire, that all judged the one could not be Innocent if the other was Guilty. The two *English* Secretaries were appointed to examin him, but he answered them only in some General things, and told them, that for those particulars of his late Trust, divers other *Scotish* Lords were concerned in them, and it was not an *English* business ; and therefore he desired Liberty to give His Majesty Satisfaction, but refused to do it to any other Person. And he seeing the Party made against them was so strong, did earnestly crave Liberty to go beyond Sea, since he could not be so happy as to serve His Majesty longer in *Britain* : and he engaged his "word of Honour never to meddle any further in *British* Affairs, but "that assoon as he should be called home to undergo his Trial, he "should upon the faith of a Gentleman and Christian return, since it was "hard that they should be condemned to the infamy of so long a Dis- "grace without any Trial. But to this he had no return; and it seemed "that none of these Messages were faithfully carried to His Majesty.

Next he desired, that since he must continue Prisoner, at least that small Happiness might not be denied him of being Prisoner with his Brother ; but neither got he any return to this. And the King sent to him for the Court-Signet, but with this Declaration, that he did not thereby intend to remove him from the Office of Secretary ; which yet remains bearing date, *Oxford* the 16<sup>th</sup> of *January*, 1644. Signed *George Digby*, *Edward Nicholas*. He got also advertisement sent him, that next day he was to be sent to *Ludlow-Castle* in *Wales*.

and makes his  
Escape.

When the Earl of *Lanerick* saw that the malice and power of their Enemies was so great, that they were not like to obtain a Trial for clearing their Innocence, and discovering the Forgeries of their Accusers ; and fearing a long and cruel Imprisonment, (some surmises being also brought him of greater Severities ) he made his Escape out of *Oxford*. The particular way whereof is not needful to be inserted. Only the malice of his Enemies appeared more signally upon the knowledg of his Escape, who came and moved, that his Page ( *Robert Kennedy* ) who had been employed in making it, and stayed behind him at his Lodgings, should be hanged out at his Window. But the King told them, it was very unjust and unreasonable to punish a Servant for his Fidelity to his Master, and commanded him to be set at Liberty. The Earl of *Lanerick* went to *London*, and from that returned to *Scotland*, where it clearly appeared, that neither the Malice of his Enemies, nor the hard measure he had met with at *Oxford*, could overcome his Love and Duty to the King : for though he was forced to comply in many things with the Publick Counsels, yet he begun very soon to draw a Party, that continued to cross the more violent and fierce Motions of *Argyle* and his followers. But here the Writer is forced to stop, Papers failing him for prosecuting this Narration.

The Duke was upon his Brother's Escape used with much strictness, his Servants were put from him, his Money taken away; he was denied all freedom, and the use of Pen and Paper was refused him, except to write Petitions to the King : yea in the Room where he stay'd he met with dis- accom-



accommodations, which are not fit to be named. As soon as His Majesty knew of this, which was as long delayed as his Enemies could, that Strictness was changed, but still he continued to be a close Prisoner. And though he always petitioned for a speedy Tryal, yet he was put off: but for all that severity of Usage, his Majesties Affection continued to be very great for him, and he sent him many kind Messages. One was carried by Sir *Alex. Frazer*, (which he avouched to the Writer) who told him that His Majesty had an entire Confidence in him, and was resolved to release him very speedily: how his Majesty was diverted from that, the Writer does not know.

But to give the Narration of the Duke's Exercises during his long and tedious Imprisonment, is a Task which no Pen but his own could have performed: for that great Mind which had formerly dilated it self in gallant Designs and Actions, being restricted to retired Contemplations, spent it self in thoughts worthy of their Author. Here it was that he instead of a Prison, begun to see a passage into Liberty and true Freedom: and those better thoughts, which a crowd of Affairs and the intanglements of Interests had barred free access into his Mind, meeting now with none of that resistance, but quickened from his present Misfortune, wrought a great Change on him. And here did the vanity of the World, and the folly of human Greatness, with all that is splendid on this side of Immortality, discover it self free from that false Varnish, that had formerly wrought too much upon human Infirmary, which raised in him a just undervaluing and loathing of those bewitching, but deceiving Charms: and he meeting with Reproach and Slander on every side, betook himself to the Rock of Ages, as to his strong Refuge. He was much pained with frequent returns of the Stone, which was fed by the lazy rest of his Prison: yet his Converse was so agreeable, that it took exceedingly with all his Guards and Keepers, which being apprehended by his Enemies, the place but not the nature of his Restraint was changed. And in one of the places of his Imprisonment, a Person of Honour who was Governour of the place, was so much wrought on by the Nobleness of his Deportment, that as from the first time he was committed to his keeping, he used him handsomly and with great Civilities, notwithstanding strict Orders he had to the contrary; so he afterwards offered to let him make his Escape, which the Duke generously refused, both because he would not do any thing which might turn to the prejudice of the Governour, but chiefly because he would not fly from his Majesties Justice, nor stain his Innocence by an Escape. This Story was avouched to the Writer, by the Person himself that made the Offer to the Duke.

Some who pretended Friendship to him at Court, wrote to him, that the only way to clear himself of all Imputations, was to get his Friends in *Scotland* to concur vigorously in the King's Service, which was then managed with great success by my Lord *Montrose*: but he answered them, that since he was charged with such heavy Imputations, he did not think it decent to meddle in any thing, till he were once Legally cleared of these: neither could it be imagined, that his Letters would signify much in *Scotland* under that Disgrace, since his Presence, when under high Characters of His Majesties Favour, could prevail so little. And indeed he had small grounds to expect much from *Scotland*, since those who governed there had never expressed any resentments of his

An. 1643. his Usage, beyond one Act they passed, Declaring it contrary to the Priviledges of the Peers. And from some of his Friends in *Scotland* he got Letters, upbraiding him for his Services to the King; telling him, that had he been as faithful in serving the King of Kings, he had been better rewarded, and that he was well-served for preferring the one to the other. But his Imprisonment continued both this year 1644, and the next year, and lasted till the end of *April* 1646; that some of the Parliaments Forces brought the Castle of *St. Michaels Mount* in *Cornwall*, where he was then Prisoner, to a Surrender, by which means he had his Freedom.

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M E-

# MEMOIRES

OF THE  
LIFE and ACTIONS  
OF

James Duke of Hamilton, &c.

LIB. V.

*Of the Duke and his Brother's Employments after his  
Enlargement, till the Year 1648.*

Anno 1646.



Hitherto the Tract of my Narration hath been troublesome and painful, but the further I engage in it, the Storms grow upon me: for now we enter upon Transactions so full of horreur, that my Heart and Pen begin to fail me; for who can without pain, and a force put upon himself, recount those dismal Passages that are before me? For now a Rebellious Party, having laid aside their former Dilguises, did finish all their Designs in His Majesties Murther, and the Slavery of the Nations: and in so great a Ruine it was not fit the Duke should escape safe, it being more fuitable that he, that had shared in his Masters good Fortune, and had also served him faithfully during his Troubles, should likewise follow him in his Sufferings.

But the Dukes thoughts were fully bent on a Retreat from the World into some retired corner, where he might languish out the rest of his unfortunate Life, for by this time the Kings affairs were quite ruined. And as he was incapable of concurring with his Enemies, so both his late Usage, and the desperate posture to which things were now driven, made him resolve to engage no further; And his Quality was such, that he could not lye neutral, when both Parties were in so high a Rivalry one against another. Yet he could not temper himself, so great was his Affection to the King, from studying to do him the

The Duke resolves on a retired Life, the Kings Affairs being desperate.



An. 1646. best Services and Offices he could, both with the *Scotish* Commissioners at *London*, and his Friends in the House of Peers, to engage them to Treat with the King on easie Terms.

The King goes  
to the *Scotish*  
Army.

On the sixth of *May*, His Majesty seeing Affairs brought to a desperate pass, resolved to throw himself into the hands of his *Scotish* Subjects, that he might make trial of all those large professions of Affection and Duty they had alwayes made. This Design was communicated to the Earl of *Lauderdale* then at *London*, but he, as he informed the Writer, studied to dissuade His Majesty from it; assuring him, that he knew the Army, and the Church-party which then prevailed in *Scotland*, would not be firm to him, unless he yielded to their Demands about Religion: but notwithstanding that, upon some slender Assurances got from *Mons. de Montrevil*, Agent from the *French* King, His Majesty went to the *Scotish* Army, (the particulars whereof, and of the subsequent as well as fore-going Publick Affairs, not being the chief business of these *Memoires*, little more is any-where toucht of them, than what is necessary for making out the thread of the Dukes Concerns, so as it may set them in their true light.)

The Commis-  
sioners are  
sent to him  
from *Scotland*,

As soon as this was known at *Edinburgh*, the Committee of Estates, which was then sitting, sent the Earl of *Lanerick* and some others to wait on His Majesty, with great expressions of their Duty and good Intentions, protesting, how dear the Preservation of His Sacred Person, and His Just Power and Greatness, should ever be to them; wherefore they expected His Majesty would give full satisfaction to the Just Desires of His Subjects; and as a preparation to this, that He would recall any Commissions He had given against the Kingdom of *Scotland*. But these Commissioners were ordered to do nothing that might raise Jealousies betwixt the Kingdoms, and therefore were to Treat joyntly with such Commissioners as should be sent from the Two Houses. And as they of *Scotland* sent their Commissioners with these Instructions yet extant, so they emitted a Proclamation, forbidding any to go out of the Kingdom without Publick Permission; which was done to hinder those of the Kings Party from coming to him.

who press the  
King to settle  
matters.

What Reception my Lord *Lanerick* had from His Majesty doth not appear to me, but I find he was very quickly as well seated in the King's Affection and Confidence as ever. On the 13<sup>th</sup> of *May*, the *Scotish* Commissioners presented their first Paper, which went not beyond general things, containing a Welcome, with an offer of their Service according to the Covenant. But in their next Paper they pressed the King to send a Message to his Two Houses for a Happy Peace, not being satisfied with that Letter he had formerly written to the Speaker of the House of Peers; since no grounds were laid down for a Pacification, a Treaty being only in general terms desired. Of all these Papers that passed the Originals do yet remain.

The King  
complains of  
the ill usage  
he met with.

Next day the King called both for the chief Officers of the Army, and the Commissioners sent to him out of *Scotland*, and in presence of *Mons. de Montrevil*, did expostulate, That whereas He had come to their Army upon the Assurances *Mons. de Montrevil* had given him, that He should be safe in His Person, Honour, and Conscience, the two last were not kept; for he was pressed to settle Religion as they desired, wherewith his Conscience was not satisfied: next, His Subjects had not free access to Him, but Proclamations were issued out, forbid-  
ding

ding them to come to Him; neither was the Ceremony due to Him as King, suffered to be paid Him at His entry to *Newcastle*: and lastly, His Servants were not suffered to wait on Him. And His Majesty attested *Montrevil*, if those conditions were not made to Him, who confidently affirmed it in all their presence, and that he had the authentick Assurances in *French*. The Commissioners retired to think of an answer; but when they returned, they desired His Majesty would put *Montrevil* to it, to declare what those Assurances were, and who gave them: but this was not done. Next they said, they would not Treat with the King in his Presence, nor admit of the interposition of any Foreign Agents betwixt them and their Native Prince. And the Commissioners of the Army resolved that no suspected Person should be suffered to wait on the King, with which His Majesty was highly displeased, and for some days would not eat in publick, but only in his Chamber.

But because there were many in the Army who would have engaged cordially for the King on any terms, to lessen the apprehension of this, they got a Petition to be signed by almost all the Considerable Officers of the Army (yet extant) that His Majesty would settle Religion according to the Covenant, and that He would enter into it Himself, and authorize it by His Command.

On the 18<sup>th</sup> of May His Majesty wrote another Letter to the Two Houses, desiring them to send Propositions for Peace, and in order to that, He again offered to put the *Militia* into their hands for 7 years, as had been offered at *Uxbridge*. He demanded also a Safe-conduct for sending Orders to stop all further Proceedings in *Ireland*, since He was resolved to leave the management of that War wholly to the Two Houses. He shewed His Letter to the *Scotish* Commissioners; but because it contained no Offer about Religion, they were not satisfied with it; yet it was sent. The next thing the Commissioners from *Scotland* moved, was, that His Majesty would recall the Commissions He had given out against the *Scotish* Nation; for the clearing whereof, somewhat must be resumed, that passed in those years which I have run over so hastily.

The King moves for a Treaty.

In the beginning of the year 1644. the King gave a Commission to the Marquis of *Montrose*, to see what could be done in *Scotland* by Force, for diverting the Army that was then entering into *England*. He had great hopes of making a strong Party in *Scotland*, and doubted not but he should be able, with the Assistance *Antrim* undertook to send him out of *Ireland*, to give the *Scotish* Army work enough at home: but his hopes failed him, for all were so over-awed by the Power of the Covenanters, that none would stir till about the end of the year. Some came out of *Ireland*, but far short of the number that was promised: and with these, and a few of the *Scotish* Nation, he adventured to disturb the Covenanters, the particular Narration of whose Enterprizes is not to be here prosecuted. This was judged by all a bold and desperate Attempt, for as his Force was small, so they wanted Arms and every thing necessary. Some of the Wisest of the Covenanters advised them not to engage with him in any Action, except on terms full of advantage, but to follow him up and down whither he went, securing the Country from Spoil and Plunder; for they judged that his Men, being so unprovided as they understood they were, would not

A short Account of Montrose's Affairs.

An. 1646. hold out long in the Hills, but be forced either to lay down their Arms, or break out in Mutinies among themselves, whereby they should have been starved with small Trouble, except the loss of some Time which this lingering Course would have cost: whereas if they fought with them, it was to be feared, that the *Irish*, with some *Scotish Highlanders*, and other Gentlemen that joyned with *Montrose*, being desperate, would be too hard for such raw Souldiers as would be drawn together to oppose them; for the Covenanters resolved not to bring any of their Forces out of *England* or *Ireland*, till they were forced to it by necessity. Besides, the Plague at that time had broken in upon *Scotland*, and swept away many thousands, which filled all Places with so much fear and horror, that the hearts and hands of all did fail them; and so a faint Resistance was to be expected in such a general Consternation.

But the more forward did not relish these Advices, and many Church-men being full of hopes of Success, and the opinion of Gods Favour to their Way, were for engaging into present Action. This Advice was plausible; for they hoped for a speedy issue of it, whereas Delays drew a vast expence on the Nation. This their error cost them dear, and opened a way for a great deal of Honour to *Montrose*, who managed his small Force with as much Conduct as Success, and carried all down before him with a torrent of Victories; till at length, after his last Victory at *Kilsyth*, the *High-landers* loaded with Prey, would needs go home to their Lurking-holes, which he could not resist, his Authority over them being but precarious. And instead of retiring with them into the Hills, he came down into the South-Country, with the little handful that adhered to him, in hopes that many should have flockt about his Victorious Standard: but he was generally hated by the Vulgar, so powerfully had the Excommunications and Thunders of the Church wrought upon them. Besides, many Outrages had been committed by his *Irish* and *High-land* Souldiers, which had been indeed resisted by him as much as was possible; but having no Pay to give them, he durst not exercise that severity of Martial Discipline, which had been otherwise necessary. Yet all was imputed to his Orders by his Enemies, which made him very odious to the generality of those who knew him not: and hence it was, that wise men did not hope for a good account of the Kings Affairs from this Design; therefore he was not assisted with such Forces, as he had promised himself from the Kings Friends in the South-Country. But he was become too secure of Victory, and began to apprehend, the Fame of his former Conquests was able to scatter any Force could be brought against him; therefore notwithstanding some Advertisements he had of Lieutenant General *Lesley's* coming down with a good Body of Horse, from the *Scotish* Army in *England*, he still remained in the low Countrey, till he was surprized and routed of a sudden. Then he went again to the Hills, but there he saw how groundless it was to expect any real Aid from those wild and disorderly People: he traversed to and again through the Hills, sparing neither Labour, Industry, nor Art, to draw together new Forces; but was never able to effectuat it, a small Body of a few hundreds being all the Strength he could ever make; only he was in hopes of great matters. And thus it continued till this time, that the *Scotish* Commissioners moved the King for recalling his Commission.

His



His Majesty was willing to grant this, only he desired, he might have liberty to send for him with a Safe-conduct, and that he might be suffered to kiss his Hand, after which he should go beyond Sea, never again to return without their Consent. But to this they would not hearken, wherefore His Majesty being constrained to yield to all their Demands, did by Proclamation call in his Commission, and sent a Gentleman with Orders to him, and such as were with him, to lay down their Arms immediately.

An. 1646.

His Majesty  
call in his  
Commissions  
to Montrose.

To this *Montrose* answered by a Dispatch, (yet extant dated the second of June) that as he had proposed nothing to himself in all he had done but His Majesties Service; so he was not now to dispute his Obedience to His Commands. Only he desired, that Security might be granted, for those Gentlemen who had hazarded their Lives for the Kings Service, that they might not be laid open to the Fury of their Enemies, but might live at quiet in their own Houses; and as for such as were counted unpardonable, he desired they might have Passes to go beyond Seas: and at this it stuck for some time.

When this was done His Majesty began to be importuned from all hands, to settle Religion according to the Covenant, Addresses being made to him for that effect, both from the Army, the Commissioners sent from *Scotland*, the Committee of Estates in *Scotland*, and the Commissioners from the General Assembly. But to all those the King answered, *That when he was satisfied in Conscience with the lawfulness of what they desired, then, but never till then, could he grant their Demands, wherefore he said he was willing to enter in Conference with any they should appoint; Protesting that if he got satisfaction to his Conscience in those two Points, the one being, that he judged Episcopacy of Divine Appointment; and the other, that by his Coronation-Oath in England, he was tied to the Defence of the Church as it was then established, he should not be ashamed to change his Judgement, and alter his Resolutions.* Whereupon Mr. Henderson was pitched upon as the man of greatest Abilities and Discretion for that task, and during the Month of June, Papers passed to and again betwixt the King and him; of which they being so often published I shall say no more, but that from these it appears, had His Majesties Armes been as strong as his Reason was, he had been every way unconquerable, since none have the disingenuity to deny the great advantages His Majesty had in all these Writings. And this was when the help of his Chaplains could not be suspected, they being so far from him. And it is indeed strange to see a Prince not only able to hold up with, but so far to outrun so great a Theologue, in a Controversie which had exercised his thoughts and studies for so many years. And that the King drew with his own Hand all his Papers, without the help of any, is averred by the Person who alone was privy to the interchanging of them, that worthy and accomplished Gentleman Sir Robert Murray, who at that time was known to His Majesty; and he discovering in him, those great parts and excellent qualities, that recommended him to the love and esteem of all virtuous persons that knew him, honoured him with a great deal of Freedom: and it was believed few were more in the Kings Favour than he was; him therefore did His Majesty imploy in that exchange of Papers, being all written with his own Hand, and in much less time than Mr. Henderson did his. They were given by His Majesty to Sir Robert Murray to transcribe: the Copies under Sir Robert Mur-

The King is  
much pressed  
to take the  
Covenant.

ray's

An. 1646. ray's hand, were by him delivered to Mr. *Henderfon*; and Mr. *Henderfon*'s hand not being so legible as his, he by the Kings Appointment, transcribed them for His Majesty, and by His Majesties permission kept Mr. *Henderfon*'s Papers, and the Copies of the Kings, as was signified to the Writer by himself, a few days before His much-lamented Death.

They consult at  
*Westminster*  
about Proposi-  
tions to be  
made to the  
King.

All this while they were consulting at *Westminster*, about the Propositions to be sent to His Majesty, for now the *Independent* Party begun to prevail; and as they were certainly the strongest in the *English* Army, so they had a great Party in the House of Commons. Their Design was to perpetuate a Military Power in their own hands, and to set up a Toleration of all Sects; and so the Propositions at *Uxbridge* were much altered.

The *Scottish*  
Commissioners  
are for making  
them easie to  
the King.

The *Scottish* Commissioners, in the Papers they gave in concerning the Propositions, first complained, That the Settling of Religion was conceived in general Terms, and that no particulars about Uniformity of Religion were laid down; next, they opposed much the Propositions about the Militia, desiring that no new ones, differing from what had been offered at *Uxbridge* might be made, that so it might appear they were not taking advantages from the Straits His Majesty was in, to diminish His Just Power and Greatness, to which they were bound both by Covenant and Treaties, and which had been often repeated in all their Declarations: adding, that they could not consent to any Proposition, that should take from their Sovereign, the Power of Protecting and Defending His Subjects, which necessarily followed, were the Militia put into the hands of the Parliament; wherefore they pressed, that the Militia might not be settled in the hands of the Parliament, but of the King and Parliament jointly, and so consigned to such Commissioners of both Kingdoms, as should be chosen by the King and them together.

Many Papers  
past betwixt  
them and the  
Two Houses.

This they backed with a Paper, containing the Extracts and Citations, of the former Declarations and Papers emitted by Both Houses, to the same purpose, both about Uniformity of Religion, and the Maintaining the Kings Authority, even in the matter of the Militia; which was a long and smart Paper. They also in another Paper, appealed to all the Treaties that had been betwixt the Kingdoms since the beginning of that War, wherein the Maintenance of the Kings Just Power had still been laid down as a ground, on which they were to proceed in order to a Peace. But upon this the *Independent* Party begun to say, that the Agreement made with Scotland, An. 1643. was no Treaty, and that the Parliament was not bound to make good what was agreed to in it. And this drew from the *Scottish* Commissioners another large Paper, proving That to be a Treaty; wherein they did shew, How that the Kingdom of Scotland had engaged both in the Irish and English War, upon the invitation the Two Houses sent them, by Commissioners impowered with ample Credentials, Signed by the two Speakers, which gave them power to Treat, and conclude both about the *Scottish* Army then in Ireland, and the Army they invited to come to their Assistance in England; upon which an Agreement was treated, and concluded betwixt the Committee of Estates in Scotland, and the Commissioners from England, and Signed by them, and so transmitted to the Two Houses, who by frequent Letters to Scotland, expressed their Ratification of that Agreement: and whereas in some of the Articles then Agreed to, there was an Alternative concerning the *Scottish* Army then in Ireland their Stay there, or their Transportation, upon which the Independents

dents founded their Allegation that matters were not finally concluded, they An. 1646. did shew how false that was; since that Alternative was emitted, in their Agreement then made, to the Determination of the Two Houses, who thereupon declared, by repeated Letters, to what branch of it they agreed. So they made it appear, that no obligation could be brought on any State, by any Treaty that was wanting in that.

But at length the Propositions were all agreed on, and the *Scotish* Commissioners, though they opposed that Article of the *Militia*, yet gave way to it, rather than hazard on a Rupture. The Propositions being so oft in Print, need not be at length set down; only the Heads of them follow, taken from the Original that was delivered to the King, which he gave to the Earl of *Lanerick*, and is among his Papers.

**F**irst, The annulling of all Oaths, and Declarations against the Parliaments and Kingdoms, was desired. The Heads of them.

The next five Propositions were about establishing the Covenant, the Abolition of Episcopacy and Liturgy, and the Kings taking and authorizing the Covenant.

The next five were against Popery and Papists.

The 12<sup>th</sup> was for the observation of the Lords Day, and against Pluralities and Nonresidences, and about Universities.

13 That the Militia should be in the hands of the Parliament for 20 years, who should also have a power to raise Money, and that after those years the Two Houses might raise what Forces they pleased, by their Bills, though His Majesty gave not his assent to them, and that the Rights of the City of London should be confirmed.

14 That all Honours, and other Writs passed under the great Seal, since it was taken away from Westminster, should be annulled.

15 That the Treaties betwixt England and Scotland should be ratified.

16 Delinquents were to be excepted from the general Oblivion, and those were put in several Classes, and accordingly several Punishments designed against them.

17 The late Cessation granted by the King in Ireland to be annulled, and the management of that War to be remitted to the Two Houses.

The 18 was about the City of London.

19 That all Writs, passed under the Parliaments Great Seal, should be in force.

In July the Duke came to Newcastle, to wait on His Majesty, and when he first kissed the Kings Hand, His Majesty and he blushed at once: and as the Duke was retiring back, with a little Confusion, into the croud that was in the Room, the King asked, if he was afraid to come near him: upon which he came to the King, and they entred into a large Conversation together, wherein His Majesty expressed the sense he had of his long Sufferings, in terms so full of affection, that he not only brake through all of his Resentments, but set a new edge again upon his old Affection and Duty. He told him, He ever had Judged him Innocent as to the bulk of things, though he confessed there were some particulars he was not so well satisfied with: but that his Restrain was extorted from him, much against his Heart; for he had stood out against all the Importunities of his Enemies, till the very morning he came to Oxford,

in



An. 1646. in which most of the whole Court came about him, and said they would all desert him if He yielded not to their Desires. The Duke professed he was fully satisfied, that His Majesty judged him Innocent; and that his Heart was still what it had ever been to His Service; but he saw himself in no capacity of being further useful to His Majesty, since these Jealousies would be ever hanging over his Head, though His Majesty were free of them. Things were now brought to great extremities, so that the success of any Service might be laid on him, seemed not only doubtful but desperate. Besides, he had no reason to think, that cloud of Misfortunes which did hitherto hang over all his Actions was yet broken or dissipated, and therefore he had particular reason to apprehend, cross Events would yet follow his Attempts; but he knew the World would be so unjust, as to impute them to his Resentments, and count them not casual, but designed Miscarriages: wherefore he desired permission to go abroad into some corner of the World, where he might enjoy a private Retirement.

But the Kings Answer to this, was, that he looked on it as a well-couched Resentment; adding, he did not expect he would now leave him when he needed his Assistance most: and this overcame his Resolution for that time, therefore he frankly desired His Majesty would lay his Commands on him.

The King orders the Duke to do what he could for rescuing Montrose

And the first of them gave occasion to a very unexampled and sublime exercise of his Vertue, for at this time the King was in great perplexity about Montrose his Affairs; since to leave him to the fury of his Enemies, for having served him faithfully, was so contrary to his Honour and Conscience, that the King abhorred the thought of it: on the other hand, he could not preserve him, for having recalled his Commission, his further Actings were legally Treasonable; and there was no way remaining to get him out of their hands, since the King had no Ships for his Transportation: and the fury against him was so great, that they would hear of no Conditions, unless he rendered himself to their Discretion; wherefore the King proposed it to the Duke, to do what in him lay to extricate him out of this Strait, for the known enmity that was betwixt the Duke and Montrose would make his Advices in that particular less suspected.

An ordinary Vertue would have judged it sufficient, not to have revenged Injuries, and to have dispensed with the remembrance of them; but it must be confessed to be a high Instance of Christianity, to repay Injuries, while the smart and sense of them was yet so fresh, with so great Generosity. He recommended the care of this to that Noble Gentleman Collonel Lockhart, who was in Command under Middleton, that led the Forces which were sent against him, and had much power over him being his intimate Friend; and did then begin to shew those eminent Qualities which made him afterwards be so much esteemed over Europe, and his death be so Universally lamented. Middleton treated with Montrose, and took Lockhart with him to the Interview, who told Montrose what Commands were laid on him by the Duke to serve him. Montrose seeing his danger was willing to Capitulate with Middleton, that they should lay down their Armes and retire to their Houses, those only excepted who were attainted by the Acts of their Pretended Parliament, who should be suffered to go beyond Sea within a few days after the Agreement. This being done, the Kirk-Party made great opposition to the Ratification of it in the Committee of Estates; nor could

it

it have been carried, but by the Interest the Duke and his Brother had there, who pressed it with much zeal. This hath been often owned by *Midleton*, and was avouched to the Writer by *Sir William Lockhart*, who added, That never did the Duke or his Brother lay their Commands on him in more pressing terms, than in this particular about *Montrose's Preservation*. An. 1646.

The King being freed from this troublesome Intrigue, the next care was, what Answer should be given to the Propositions for Peace that were every day expected. The Duke prest him most earnestly, to yield to them (how unreasonable, soever they might seem) and particularly in the point of Religion; for without full satisfaction in that, nothing would please the Scottish Nation, nor the City of London, by whom only His Majesty could now hope to be preserved: and they would hear of nothing short of the Abolition of Episcopacy, and the Kings Taking the Covenant. But were those granted, he found a willingness in them, to interpose for Moderating the other Propositions, particularly those of the Militia, and about the Delinquents: he therefore intreated His Majesty, to consider the Danger He was now in; Foreign Aid was not to be looked for, and he could not apprehend that Scotland would engage for him, if the case varied nothing by His Concessions, since they could not heretofore be kept in a Neutrality: would His Majesty therefore, for a Form of Government, hazard the loss of his Crowns? or if He was so Noble, as to despise any Prejudice Himself might feel, yet he besought Him to consider His Royal Posterity, who by His stiffness would be ruined, and to have pity on His Dominions, which lay bleeding in that long tract of Civil Wars: And though His Majesty had not full clearness in His Conscience about it, yet he was sure, the matter seemed of small Importance in it self, though it became very great by the effects it might produce; and he was confident, if it were a sin, God would never lay it to His charge, since His Inducements to it were so strong and unavoidable. All this he did not say from his own sense of these Propositions, since himself thought His Majesties Concessions were such as might give full satisfaction; but that he saw things were in that state, that nothing without satisfaction in the point of Religion could bring them to any Settlement. This was often repeated to the King, both by him and his Brother, as well in their Letters as Discourses.

But His Majesty said, His Conscience was dearer to Him than His Crown, and He would willingly run the hazard of all His Crowns below, rather than endanger that above; that hitherto He had received no satisfaction to His Conscience in these two Great Points, at which He stuck, and till that were done, no Consideration whatsoever would prevail. The Quiet of His Kingdoms, and the Settlement of His Throne, were indeed to be purchased at any rate; yet the Peace of His Conscience must be preferred by Him to all things. And on these grounds did His Majesty still continue unshaken, notwithstanding all hazards.

The Propositions were brought from the Two Houses about the middle of July, and a speedy answer was craved to them. But for an account of His Majesties Thoughts of them, I cannot give it better, than by setting down a written account of them, in a Letter sent to the Earl of Landerdale at His Majesties Command, by *Sir Robert Murray*.

The Duty which I conceive every good Subject owes, to use his utmost Endeavours (how weak soever) for the furtherance of the happy Peace of them.

An. 1646. of these afflicted Kingdoms, hath made me take the boldness to talk with the King upon the Propositions, to see how far he can be induced to yield to them. And although to every particular I cannot promise you an exact account, (because there are divers things in them which neither He, nor I understand) yet to the main Points I shall, and such as I hope may be a good ground-work for happy Conclusions. First then for Religion, I find His Majesty really Conscientious, and not superstitiously Scrupulous; wherefore until He be better satisfied, the uttermost He can be brought to, is, that He will be content that Presbyterian Government be generally established within this Kingdom by Act of Parliament for three years, provided that He, and all those of His Opinion, may freely enjoy their Consciences, according to the practices in Queen Elizabeth's and King James's Times. Now how to do this would be too long for a Letter, but as there are Examples, so I doubt not to shew you more than one way to do it, so willing ears may be brought to such a Motion; and I assure you, His Majesty is most willing to hearken and seek after information, to the end He may be satisfied, how with a safe Conscience He may give you full satisfaction herein: but this Proviso that His Majesty grants, will probably be but temporary.

For the Militia, I can neither see inclinations in His Majesty to relinquish it, nor can I find Arguments to persuade him to it: nevertheless I perceive so great inclinations in Him to strain to the uttermost to give His Subjects all just Satisfaction, especially in what concerns the securing of their Fears, that He will be content for Ten years the Two Houses should dispose of the Militia by Act of Parliament, in the hands of such, and so many persons as they shall name; as likewise to change them within the said time, and appoint others in their Places, as they shall think fit; but after the expiration of the said Time, to return to the Crown, as Queen Elizabeth and King James enjoyed it.

Concerning Delinquents, His Majesties Opinion is, that a good Act of Oblivion is the best way to bind up a Peace, after Intestine Troubles, it having been the Wisdom of other Kingdoms most usually, and with good success, to grant general Pardons, with very few or no Exceptions, whereby the numerous Discontentments of all sorts of People (which are the seeds and fuel to future Disorders) might be totally extinguished: and His Majesty further conceives, that He cannot desert so many gallant Persons of Condition and Fortune, who have engaged themselves with Him, only out of a sense of Duty, without a perpetual and irrecoverable Dishonour.

As for Offices, though His Majesty judges, that the Disposal of them is a necessary Flower of the Crown, yet He is content for this time to accept of the Nomination of them from the Two Houses, to be enjoyed by these persons quam diu se bene gesserint; so that after Vacancies they return to be disposed of as before.

I unwillingly mention Ireland, because His Majesties Publick Faith being engaged, how dare I speak to Him to violate that, which is, and must be all our Security; but even in this will I pawn my Life, He will prove Himself a zealous Protector of Protestants, and a constant Maintainer of Sovereign Power.

My Conclusion is, that if upon these grounds a Conference may be had betwixt His Majesty and the Two Houses, I will engage any thing that an Honest man can, that these Kingdoms will be shortly happy in a firm Peace; which if it should fail on our part, for our not hearing of our Sovereign, it would be an unparalleled Misfortune, not without Infamy.

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In the end of *August* they sent the Duke with the Earls of *Crawford*, and *Caillis*, and some others, to deal with His Majesty for a speedy granting of the Propositions, and to represent to him all the inconveniences that followed, even upon a Delay, much more upon a Denial. The Duke had no willingness to the Employment, misdoubting the Success, and knowing his engaging avowedly in such a Message, would be misrepresented: but there was no avoiding of it, for had he declined it, he would have been suspected of being an ill Instrument, and of Aversion from the thing which would have disabled him much from going on with the Kings Service. They came to *Newcastle* in the beginning of *September*, where they discharged themselves of their Commission to the full.

But the King answered them in the following Paper, yet extant under His Majesties Hand.

My Lords,

I Shall begin by answering what you have now said; for I assure you, I had not thus long delayed My Answer, but to weigh fully those Reasons and Arguments which you have laid before Me, whereby to use the uttermost of My Endeavours to give you all possible Satisfaction: for you having told Me nothing but what I have heard before, the change of Answer could hardly be expected. And now I do earnestly desire you to consider, what it is that I desire, which is, To be heard, which if a King should refuse to any of His Subjects, He would for that be thought a Tyrant. For this if I had but slight Reasons, it were the less to be regarded; but they are such, upon which such a Peace as we all desire doth depend: for albeit it is possible that if I should grant all you desire, a Peace might be slubbered up; yet it is impossible that it should be durable, unless there should be a right Understanding betwixt Me and My People, which cannot be without granting of what I desire. Yet I desire to be rightly understood, for though many, like to *Esops Fable*, will call Ears Hornes; yet let men say what they will, I am far from giving you a Negative, nay I Protest against it, My only Desire being to be heard: for I am confident that upon Debate, I shall so satisfy them in some things, as likewise I believe they may satisfy me in many things, that we shall come to a most happy Agreement. This I believe is not much needful to satisfy your Judgements, for I am not ignorant, how really your Commissioners at London have endeavored a satisfactory Answer to My Message; as likewise what good Instructions have been sent them out of Scotland, so that the force of Power more than the force of Reason, hath made you so instant with Me as you have been: with which I am so far from finding fault, that what

you

An. 1646.  
The Duke is sent to the King, to obtain from him the granting the Propositions.

The Kings Answer to their Desires.



*An. 1646.* you have done, I take well, knowing it proceeds out of the abundance of your Zeal to My Service; therefore as you see I do not mistake you, so I am careful not to be mistaken by you. Wherefore again I desire you to take notice, that I do not give a Denyal, My Desire being only to be heard; as likewise that you will take things as they are, since neither you nor I can have them as we would: wherefore let us make the best of every thing, and now as you have fully performed your Duty to me, so I cannot doubt, but you will continue to press those at London to hear Reason. And certainly you can little expect fair dealing from those, who shall reject so much Reason, and of that sort which you have, and I hope will offer to them.

Not to stay you too long upon so unpleasing a Subject, I assure you that nothing but the Preservation of that which is dearer to Me than My Life, could have hindered Me from giving you full satisfaction: for upon My word all the dangers and inconveniences, which you have laid before Me, do not so much trouble Me, as that I should not give full satisfaction to the Desires of My native Country, especially being so earnestly pressed upon Me. And yet here again I must tell you, (for in this case repetitions are not impertinent) that I do not give you a Denyal, nay I protest against it; and remember it is your King that desires to be heard.

To this Paper I shall adde another, given by His Majesty to the Committee then at Newcastle: but by the Copy extant, written with Lane-*rick's* hand, it doth not appear when it was sent them. The Paper follows.

My Lords,

Another Paper of His Majesties to the same purpose.

**T**Is a very great grief to Me, that what I spoke to you Yesterday, and offered to you in Writing, concerning Religion, bath given so little satisfaction; yet lest the Reasons I then told you, should not be so fully understood, I think it necessary at this time to set them down to you in this Paper.

I then told you, that whatsoever was My particular Opinion, I did no ways intend to perswade you to do any thing against your Covenant; wherefore I desire you to consider, whether it be not a great step to your Reformation, (which I take to be the chief end of your Covenant) that Presbyterian Government be Legally settled. It is true, I desire that My Own Conscience, and those that are of the same opinion with me, might be preserved, which I confess doth not as yet totally take away Episcopal Government; but then consider with-

These were His Majesties private Thoughts, but His publick Answer *As. 1646.* inclined more to a Denial; which when it was brought to *Westminster*, was entertained both with Joy and Sorrow, according to the inclinations of the several Parties. The *Independents*, and those of the Army, feared nothing so much as the Kings granting them, for in that case they saw, there could be no colour for keeping up an Army: and in the House of Commons, when Thanks were Voted to the Commissioners that had been with the King for their pains, one Member whispered another in the ear, that they owed more Thanks to the King than any body; and in another corner, an honest Member saying to another, what shall become of us, since the King refuseth these Propositions? the other answered, nay what had become of us if He had granted them?

The King does not yield to the Propositions.

The *Independent* Party upon this moved, that no more Addresses should be made, and that His Majesties Person should be demanded, and the Army commanded Northward to see it executed; which had been infallibly done, had not the *Scotish* Commissioners given them in some Papers, complaining of many Violations of the Treaty, and the Arrears due to the Army. The King had also desired a Personal Treaty near *London*, and the *Scots* seconded it; but the obtaining it was impossible, for all this time the *Scotish* Commissioners and the *English* (whereof the greatest part were of the *Independent* Faction) were in no good terms.

The Houses go on to high Resolutions, but are stopped by the *Scotish* Commissioners.

As for the Arrears of their Pay, the Two Houses talked of offering five hundred thousand pounds Sterling, whereof an hundred and fifty thousand should be paid presently, that so they might be rid of their Army, which they said was no more necessary in *England*; and a Complaint being made against some who spoke and wrote in prejudice of the *Scotish* Nation, an Ordinance was debated for punishing them. The *Independents* Employed all their Strength against it; *Cromwell* spoke most vehemently, that it was to discourage their Friends, and to encourage their Enemies: but *Hollis* took him up so sharply, for calling base Libellers Friends, that he was glad to recant. When it went to the Vote it run near an equality, for 102 were against it, and 132 for it; so quickly were the Services of their dear Brethren of *Scotland* forgotten.

At this time the King sent my Lords of *Argyle*, *London*, and *Dunfermline*, to *London*. Their Instructions were, to deal for a Personal Treaty near *London*, to get some of the Kings faithfullest Servants to be suffered to come and wait on Him. And for the Militia, the *Scots* had declared themselves satisfied with the Kings Concessions about it; wherefore He desired they would stick to Him according to their Promises. As for Religion, He desired they would represent to those who were best-affected, how dangerous it would be to insist too much on that at this time, when the greatest hazard was from the *Sectaries*, and that His Majesties consenting to a temporary Establishment of what they craved, did put them in a fair way to their Desires. And beside all this, it was recommended to them, to procure a delay of the Desire for an answer to the Propositions till the 16<sup>th</sup> of September.

The King employs *Argyle* at *London* for obtaining a Personal Treaty.

When these Instructions were given them, the King desired their promise, first, of Secrecy, next, of Fidelity in discharging what was intrusted to them: for the second they undertook it, but refused the first;

*An.* 1646. except the King also promised Secrecy. His Majesty presently apprehended their Design was, that the Duke and his Brother might understand nothing of their Employment; and finding it was a thing, wherein neither of them was concerned, He thought it unfit to disoblige *Argyle* by that Refusal; since he was so able to serve him, if he should be Cordial in it, and He was secure of the two Brothers, that if they mistook His Reservedness, it would be easie for Him to clear Himself afterwards. Yet this Secret was ill-kept among them, for the Earl of *Lauderdale* had notice of it, as he told the Author, before they came to *London*; but opposed much the seeking a Delay to a prefixed day, since he knew that could not be granted without adding a dreadful Sanction of Deposing the King, in case a favourable Answer came not against the day appointed; and found it would be easier to procure a Delay by other Methods, than by asking it. The Duke and his Brother were much troubled with the Kings Reservedness in that Affair: but as soon as they understood the ground of it they were satisfied. But what success that Negotiation had, or how it was managed, doth not appear to me from any of the Duke's Papers.

The Duke deals with the Committee of Estates, to get them to acquiesce in His Majesties Concessions.

In the beginning of *August* the Duke went to *Scotland*, where his greatest Care was, to see what could be done to get the Committee of Estates to be satisfied with the Kings Concessions, representing to them, how they did at once put *England* in the possession of the desired Church-Government, and set the other out of the way, which was a great stop to their full satisfaction. He desired they would consider, how inhumane and unchristian it was to force the Kings Conscience, and how much it favoured of the Violence they had lately condemned in the Bishops. It was visible, that nothing but Conscience could be imagined to lye in the way of the Kings Accepting the Propositions; and were His Majesty, like many Princes, to swallow down all things, and belch them up at their Pleasure, there would be less ado made: but the Kings sticking at what He could not yield, did abundantly secure them of His making good to them all that was promised. On the other hand they were to consider, that if they should now desert the King, and bring their Army out of *England*, it would make them odious through the whole World, and the payment of the Arrears of their Army would pass under a far worse Character. Besides, *England* was divided, and the Party that was most prevalent among them was the *Independent*, with the other Sectaries, who would never carry on the Settlement of Religion; and by their present carriage at *London*, it appeared what Friendship they had for *Scotland*: wherefore he moved earnestly, that their Army should not be brought out of *England*, till a firm Peace should be established, according to the first Treaty, *Anno* 1643.

but was opposed by the Ministers.

This did shake many, but some of the Leading Church-men were not satisfied with this, and represented to their Party, that all this was said smoothly, to engage them to the Kings Quarrel, which they were resolved never to do till the Covenant were taken by Him. Neither were they well-satisfied with the Duke, for his being instrumental in the Agreement with *Montrose* and his Party; and it was preached to his face, that all the Bloud that was lately shed, would lye on them and their Posterity, who for the pleasing of men had procured such Favour to the Enemies of God, and of his Cause and People.

In



withball, that this will take away all the superstitious Sects, and Heresies of the Papists and Independents; to which you are no less obliged by your Covenant than the taking away of Episcopacy. And this that I demand is most likely to be but temporary, for if it be so clear, as you believe, that Episcopacy is unlawful, I doubt not but God will so enlighten Mine eyes that I shall soon perceive it: and then I promise you to concur with you fully in matters of Religion. But I am sure you cannot imagine, that there is any hope of Converting or Silencing the Independent Party, which undoubtedly will get a Toleration in Religion from the Parliament of England, unless you joyn with Me, and in that way I have set down, for the re-establishing My Crown, or at least that you do not press Me to do this (which is yet against My Conscience) until I may do it without Sinning; which as I am confident none of you will perswade Me to do, so I hope you have so much Charity, not to put things to such a desperate Issue, as to hazard the loss of us all, because for the present you cannot have full satisfaction from Me in Point of Religion: Not Considering that besides the rest of the Mischiefs which may happen, it will infallibly set up the innumerable Sects of the Independents, nothing being more against your Covenant than permitting of those Schisms to encrease.

As for the Message which I think fit at this time to send, I have chosen rather to mention the Point of Religion in a general than particular way, lest (not knowing all these Reasons, which I have set down to you, which are most unfit for a Message) it may give less satisfaction than I desire. Nevertheless I do conjure you, by that Love and Loyalty you have always professed unto Me, that you make use of what I offered Yesterday in Writing, with these Reasons which I have now set down to you, and those further Hopes I have now given you for the best advantages of My Service.

With this particular Explanation, That whereas I mentioned, that the Church-Government should be left to My Conscience, and those of My opinion, I shall be content to restrict it to some few Diocesses, as Oxford, Winchester, Bristol, Bath and Wells, and Exeter: leaving all the rest of England fully to the Presbyterian Government, with the strictest Clauses you shall think upon against Papists and Independents.

POSTSCRIPT.

An. 1646.

## POSTSCRIPT.

*I require you to give a particular and full account hereof to the General Assembly now sitting in Scotland, shewing them, that I shall punctually make good My last Letter to them, and that this is a very great step to the Reformation desired, not only by the present putting down all Sects and Independents, but likewise presently establishing Presbyterian Government; hoping that they as Ministers of Gods Word, will not press upon Me untimely the matter of Church-Government and Discipline, until I may have leisure to be so perswaded, that I may comply with what they desire without Breach of Conscience, which I am confident, they as Church-men cannot press me to do.*

The Duke seeing matters desperate, resolves to retire out of Britain.

The Duke left nothing unsaid that could be devised, to prevail with the King for satisfying Scotland in the point of Religion, assuring him, that he found a great willingness in them to serve him in all other things, should he yield to them in that one: That for the point of the *Militia*, they would study to bring it to what the King desired, and in the point of the Delinquents, they would labour to get it brought to that, in which the Process of the Incendiaries in Scotland had ended, that they should only be secluded from Trust: but he assured him, he found it impossible to make them abate a tittle of the Demand of Religion. Yet His Majesty continued on his former Grounds, therefore the Duke resolved on a present abandoning of Affairs, and of retiring from the World.

*Lanerick* was so angry at this Design, that he spared nothing that either his Affection or Wit could suggest, to divert him from that desperate Resolution (as he termed it.) He told him, could he not be Religious, but he must turn a Monk? and did he not think it best to serve God in that Station whereunto he had called him, or must he reject the choice of Gods Providence, and turn his own Disposer? and was he so mean-spirited, as to abandon matters because of the difficulties that were in them? But all he could devise was not like to prevail, for the Duke protested, it was impossible for him to look on and see His Majesties Ruin, which was inevitable upon the Grounds he went on.

The Independents cajole the King.

At this time the *Independents*, fearing the extremity to which the King was driven might force him to consent to any thing upon which a Settlement might follow, betook themselves to strange Methods to obstruct it: they therefore gave some hopes that they would be willing to dispense with the imposing of the Covenant, and consent to a Toleration of Episcopacy and the Liturgy, provided they might be satisfied in other points.

But *Lauderdale* disabuses his Majesty.

This suiting so well with the Kings Inclinations had too good a hearing from him: but my Lord *Lauderdale* wrote from London very warmly for undeceiving the King, assuring him that he infallibly knew, their Designs were the Ruin of Monarchy, and the Destruction of the King and

and His Posterity ; and though they might cajole His Majesty with some smooth Propositions, those were meant for His Ruine, that they might once divide Him from His Parliaments : after which they would destroy both Him and them, were it in their power. But if the King would now consent to the Propositions, all would go right, and in spite of the Devil, and the *Independents* both, he would be quickly on His Throne : but Delays were full of danger, for they that wished well to the King, were becoming daily more heartless, and the other Party grew in their Insolence ; and the Earl of *Essex* his Death at that time, had given the greatest blow to the Kings Affairs they could have met with. This he continued to represent by many Letters, both to the King and those about Him ; yet His Majesty was much wrought upon to give credit to those Offers of the Sectaries, which made Him the less apprehensive of hazard.

At length, when the Duke saw His Majesty immoveable, he begged His permission to retire. But the King resisted that with so much reason and affection, that in the whole Course of His Favours to him, there had not been any since the business of *Ochiltry* wherein He had more obliged him, than by the tenderness that then appeared in him. Yet the Duke was so importunate, that at length the King seemed to give way to it, at least the Duke understood it so : whereupon, with as sad a heart as ever man had, he took leave of the King, which he apprehended to be his last Farewell ; and it proved to be so indeed, (except a transient view he had of Him at *Windsor*.) So he left the King, and carried home with him a heart so fraught with Melancholy, that all could be done was not able to rouse him out of it ; and neither the tears of his dying Mother, nor the intreaties of his Friends, nor the constant persecution of his Brother, (who was much vexed at it) were able to divert him from his Resolution ; for having overcome the Kings dislike of it, which was stronger than all other things with him, he was proof against every thing else. But His Majesty quickly repented Him of that tacit consent He seemed to give, and therefore sent after him this handsom Letter.

*The Duke obtains His Majesty's permission to retire.*

Hamilton,

I Have so much to write and so little time for it, that this Letter will be suitable to the Times, without Method or Reason ; and yet you will find Lusty Truths in it, which puts Me again out of fashion, but the fitter for him to whom I write. Now to My business : but lest I should now forget it, I must first tell you, that those at London think to get Me into their hands, by telling Our Country-men, that they do not intend to make Me a Prisoner : O No, by No means ! but only to give Me an honourable Guard forsooth, to attend Me continually for the security of My Person ; wherefore I must tell you, (and 'tis so far from a secret, that I desire every one should know it ; only for the way, I leave it to you to manage it for My best advantage :) that I will not be left in England when

*which His Majesty retracts by His Letter.*

P p

this



*An. 1646. this Army retires, and these Garisons are rendred, (without a visible violent force upon My Person) unless clearly and according to the old way of understanding, I may remain a Free-man, and that no Attendant be forced upon Me upon any pretence whatsoever. So much for that.*

*A Discourse yesternight with Rob. Murray was the cause of this Letter, having no such Intention before, because I esteemed you a man no more of this part of the World, believing your Resolutions to be like the Laws of the Medes and Persians. But however he shewed Me such Reasons, that I found it fit to do what I am doing, (for I confess one mans error is no just excuse for anothers omission) which is to stay your forreign Journey by perswasion. As for the Arguments I refer you to Robin, only I will undertake to tell you some positive Truths: the chief whereof is, That it is not fit for you to go; then, It is less shame to recant than to persist in an Error: My last is, By going, you take away from Me the means of shewing My Self*

New-Castle September 26<sup>th</sup>,  
1646.

Your most assured, real,  
faithful, constant Friend,

CHARLES R.

*But this Letter will be lame, unless made up with the Cover that went about it from Sir Robert Murray, which was, as he wrote in his next, almost wholly the Kings words, and not only his sense: for the King the night before, falling in Discourse with Sir Robert about the Duke, discovered very fully the Constancy of His Royal kindness to him: whereupon he laid His Commands on Sir Robert, to put him in mind of the Inconveniences his obstinacy in that Resolution would heap upon him; and mentioned them (these are Sir Robert's words) with a Friendliness, that related not to his own Concernments. Indeed they are such, as the very apprehension of them cannot but deeply wound a Soul so great as yours. They are briefly these; The withdrawing your self at this time, will be believed to proceed from a tacit Joy at the appearance of the bad Success of his Affairs, or rather out of a design to contribute to it, under the disguise of a seeming Retiredness and Discontent; Constructions which are not possible for him to make, but obvious to malevolent humours: That although you should not be suspected to be any ways accessory to disloyal Courses, it will be said you are one of those, who could have best hindered them: That your Countrey and Friends may say you have deserted them in their greatest Exigences, and that Differences may be reconciled betwixt His Majesty and His Subjects by the endeavours of others.*

*These Commands were both peremptory and obliging, so that they could not fail of conquering all his Resistance, and carrying his Obedience after them; which were strengthened from the Letter he had at that same time from Her Majesty, which follows.*

Cousin,

An. 1646.

Cousin,

**T**He account the King hath given me of your Affection for His Interest, and those marks of it, which from other hands have met me, do so sensibly affect me, that without any difficulty, or scruple, I do now entertain you with my Acknowledgments and Resentments of it, before I have heard from you; and I assure you, of the satisfaction I shall ever have of the Continuance of it from you, which I shall desire may be as intire and full as the Returns I shall study to make to you, being resolved to lay hold on all occasions, by which I may discover my Friendship for you, and to express the Esteem I have of your Friendship, by all means that may depend on my cares, which I shall imploy in giving you day by day new Proofs that I am, and ever shall be,

St. Germanes  
22<sup>th</sup> September

Your affectionate Cousin,  
and Friend,

HENRIETA MARIA R.

Upon these Intreaties and Assurances he was made to change his purpose, though he could not so easily part with his Melancholy thoughts, which he expressed in this following Letter.

May it please Your Sacred Majesty,

**T**He Reasons You were pleased to offer to my Brother, and Sir Robert Murray, for diverting my Resolution of leaving Your Majesties Dominions at this time, were (I confess) of strength enough, to have fixed me in any place of the World where Your Majesties Service was concerned: but now seeing Your Majesty hath honoured me so much, as by Your Gracious Letter (Your Self) to shew me still Your dislike thereof, how dare I dispute what Your Majesty thinks unfit? and now, Sir, the Thoughts I formerly had of leaving (as it were) the World (because I would not be a witness of, what I feared, Your Majesties Fall, since, as I conceive, I could not be instrumental to Your Service or Preservation, upon the Grounds Your Majesty went on) shall be changed into a Resolution of being most miserable in Your Dominions, if it shall not please God to deliver You out of those Difficulties Your Majesty is in; for I take God to witness, upon Your Happiness depends my greatest worldly Joy, how unfortunately soever I have (of late) been misunderstood. And though I cannot promise my self so much good Fortune, as to prove useful to Your Majesty; yet I dare and do engage for a cheerful Willingness, and perfect Fidelity in Your Majesties Service, and trust that God in his Mercy will so direct Your Majesty, as by timely granting the (now necessary and most pressing) Demands of Your Kingdoms, the great Evils will be prevented, that threaten Your Sacred

And writes to  
the King.

*An. 1646. Self, the Queens Majesty, and Your Royal Posterity; and likewise that of having any other Guard to attend Your Royal Person, than such as shall be approved of by You, or Your Majesties being necessitated to retire into Scotland, upon the return of the Scottish Army, where I apprehend Your Majesties Entertainment will not answer Your Expectation, nor prove at all advantageous to Your Service. More I will not presume to say, but shall really study in all things to serve Your Majesty, and ever give such ready Obedience to Your Commands, as becometh*

Kinneel 6<sup>th</sup> Octob.  
1646.

Your Majesties most faithful,  
most loyal, and most obedient  
Subject and Servant,

HAMILTON.

A day or two after His Majesty received this Letter, He wrote the following Letter to my Lord Lanerick, the Post-script whereof seems to relate to the Letter he had received from his Brother.

Lanerick,

**B**Efore now I had not matter to write to you, and now I have so much that I shall say the less, leaving this inclosed to speak for me. But thus much I must assure you of, that I have herein gone the utmost length (as you call it) to give all possible Satisfaction, for (upon my word) one jot further cannot be gone by

Newcastle 15<sup>th</sup> Octob.  
1646.

Your most assured, real,  
constant Friend,

CHARLES R.

#### POSTSCRIPT.

Tell your Brother, that it were a fault to him to trouble my Self in Complementing with him, and indeed to either of you any ways to doubt, but that you will make the best use you may of what I now send you for my Service.

The inclosed Paper is to be found among His Majesties printed Messages to the Two Houses, and therefore it is not inserted here. But the satisfaction the King had in the Dukes consenting to stay still in Scotland, appears by the end of the next Letter he wrote to himself.

Hamilton,



An. 1646.

Hamilton,

**T**His is rather to perform my Promise to a Lady, than that I believe it to be needful in respect of you; for I know you naturally so much favour all my Friends, and know so well the great Estimation I have of the Earl of Brainford, beside what hath been told you concerning him by your Brother Lanerick, by my Directions, that I am certain without this you will favour his business what you can: and since I am writing I must say, that there is no particular Mans business, wherein you can give me so much Contentment as this; of which I need say no more, but only that you will shew his Wife, that my Recommendation to you of her Lords Affairs, is real and hearty. Nor can I end this, without taking notice to you of the Contentment I had, that my last Letter to you had the wished for operation; for besides the obtaining my end, (which several ways is satisfactorily useful to Me) I see that all men have not forsaken Reason, or, at least, that I am sometimes in the Right, as I am confident you will make appear the great Reason I have to be

Your most assured, real,  
constant Friend,

CHARLES R.

But to return to Publick Affairs, the Duke at his coming to Scotland, procured new Instructions to be sent to their Commissioners at London, to press a Personal Treaty, and that the King might be with Safety and Honour in England, and that it might be declared, that the Government of England should still continue according to the Fundamental Laws. The chief business at Westminster was to be rid of their Brethren of Scotland; wherefore they fell a-treating about the Removal of the Army and the Delivery of the Garrisons. The Scots demanded five hundred thousand pounds Sterling, and of that Sum two hundred thousand pound presently: but four hundred thousand were Voted to them, and only one hundred thousand presently, and upon this they stood long.

The Two Houses having on the 24<sup>th</sup> of September Voted, that the Kings Person should be demanded from the Scottish Army, their Commissioners at London gave in long Papers against that, which were Printed, and so need not be here inserted. In them they shewed,

That the King being Sovereign of both Kingdoms, was not to be disposed by the Parliament of one Kingdom; That this was destructive to the Relation and Interest the Scottish Nation had in Him, and contrary to the nature of Sovereignty, and to the Covenant and Treaties of both Kingdoms: by which it was agreed, That His Majesties just Power and Greatness should not be

The Duke labours to engage Scotland for a Personal Treaty.

The Scottish Commissioners at London complain of the Kings ill Usage, and the harsh Votes of the Two Houses.

di-

An. 1646. diminished, which by such a Demand of His Person was very signally done. It was also agreed, that all things in order to Peace (to which the Disposal of the Kings Person did relate in a signal manner) should be done by the Joynt Councils of both Kingdoms.

Many Conferences are betwixt the Two Houses and them.

After this, in the Month of October, begun the Treaty betwixt the Scottish Commissioners and the Committee appointed for that end by the Two Houses of Parliament, which was managed in the Painted Chamber, in the presence of all the Members of the Two Houses. The Scottish Commissioners (who were the Earls of Lowdon and Lauderdale, and the Lord Wariston) declared in all their Papers and Speeches, that they were not to Treat about His Majesties Person, nor the Disposing of it; but only about the Removal of the Army, the Delivery of those Garrisons that their Army had in England, and the Payment of Arrears due for their Armies both in England and Ireland: and they continued to press, that whereas the Two Houses had, in all their former Declarations, laid the blame of the Breach betwixt the King and them on His Majesties Withdrawing from His Parliament, that therefore they would invite His Majesty to come with Honour, Freedom, and Safety, to some of His Houses in or about London, in which they still insisted to the last. And so far were they from Treating about the Disposing of His Majesties Person, that in the end of their Treaty, when they had finally agreed on all things, it was expressly declared in the first Article of the Treaty that pass'd under the Great Seal, that nothing relating to the Kings Person was concluded on by it; so that after that was ended, the Scottish Parliament might have still preserved the King, and brought him with their Army to Scotland.

The Houses press a speedy Answer to their Propositions.

But the Houses turned the Propositions to Bills, and passed a Vote that new Commissioners should be sent to the King, with the concurrence of those of Scotland, to press a satisfactory Answer: with this Sanction, that if it were not granted, they should be forced to look to the Security of His Person. And the English Army fell upon a most destructive Resolution, of adjourning the Parliament; neither were they over-awed by any thing so much, as the fear of the Scottish Army. The great point now debated in the Councils of Scotland, was, whether a final Settlement with the King should be the Condition of the Armies Retiring, or not? The Duke with all his Friends pressed this vigorously, as that which was agreed on by their Covenant and Treaties. But the Church-men still influenced all Counsels, and finding the King irreconcilable to their Way, were still full of their Jealousies of Him; and it was said down-right, that they ought not to meddle betwixt the King and the Parliament of England, but leave Him and them to their own Counsels; so strangely did their Language vary from what it was Anno 1643.

Mr. Murray is sent by the King to London.

At this time the King sent Mr. Murray of the Bed-Chamber to London, who carried another Message; but it was so displeasing, that it served only to put his Neck to a new hazard for the Kings Service, and he durst scarce stir out of doors all the while he was there.

The Parliament of Scotland meets.

In the beginning of November a new Session of the Triennial Parliament of Scotland did hold, but little was done for some Weeks; save that there came to them a Remonstrance from the Assembly, wherein  
in

in the first place Complaints were made of the Committee of E-<sup>An. 1646.</sup> states, for their Agreement with *Montrose* and his Followers, which was represented as a great Crime, especially they being excommunicated. Next, they complained of His Majesties constant adherence to Prelacy, and of the danger Religion was in by the Malignants (for so was the Kings Party then called) who were beginning to set up their Heads again; wherefore they recommended to their Care, both the Preservation of Religion, and of the Treaties with *England*. Upon this the Transaction of the Committee of Estates in the Agreement with *Montrose* was examined, and it was put to the Vote, *Approve or Exoner them only*: the former was carried by twenty Votes, but all the Pulpits thundered against it; wherefore to stop the mouths of the Ministers, it was enacted, That in any Treaty that should be thereafter with those who were in Arms, the Commission of the Kirk should be consulted about the Lawfulness of the Conditions. For at this time both the Marquis of *Huntley* was in Arms in the North, and *Antrim* was also come over to *Kintyre* in *July* the former year, and continued still there. His Majesty sent Mr. *Robert Lesley*, with Orders to my Lord *Huntley* for laying down of Arms, with whom he wrote the following Letters to the two Brothers.

Hamilton,

**A** Trusty Messenger requires but a short Letter, and brevity is the more convenient for Me, who have much to do, and but few helpers: wherefore I shall say no more, but hear and trust Robin Lesly, for he is come from

Newcastle Nov. 12<sup>th</sup>,  
1646.

Your most assured, real,  
faithful, constant Friend,

CHARLES R.

Lanerick,

**H**Earing that Marquis *Huntley* expects My Commands for his laying down of Arms, I have thought fit to send this Trusty Bearer, Robin Lesly, to him, but thought it necessary to address him first to you, that you in My Name might acquaint the Parliament with this My Intention; which if they approve of, he may go on accordingly, if not, there is no hurt done. Yet howsoever I have expressed My Desire for the Peace of the Country: but in case they shall permit Robin to obey My Commands, then I expect that they give him Power to assure *Huntley*, of the same Conditions that he might have had before. All which I command you to represent to My Parliament in My Name, leaving the particular



*An. 1646. ticular expressions to you, having only set down the sense. Other things I have intrusted little Nobs to tell you, too long for a Letter, but of no small Consequence; by which at least you will find that according to My Professions I am*

Your most assured, real,  
constant Friend,

CHARLES R.

His Majesty also expressed His Concerns for *Traquair* in the following Letter.

Lanerick,

*Albeit I am confident, that you will further all My Friends Affairs, yet I must not be so negligent in Traquair's behalf, as not to name his business to you, for admittance to his Place in Parliament; of which I will say no more, but you know his Sufferings for Me: and this is particularly recommended to you by*

Newcastle 17<sup>th</sup> November  
1646.

Your most assured, real,  
constant Friend,

CHARLES R.

#### P O S T S C R I P T.

*I account writing to you or your Brother all one.*

They consult  
in Scotland  
how to dispose  
of their Ar-  
mies.

But the main Business was, what to do with their Armies that were in *England*. The Kingdom was groaning under a heavy and unsupportable Burden for their Maintenance, so disbanding was a very plausible Motion: and all desired, that only such Forces should be kept up as were necessary for the Preservation and Security of *Scotland*. The Duke and his Brother regrated much, that so many Gallant Men should be disbanded, who might be very useful for the Kings Service; therefore they opposed all these Propositions, arguing that till a final Peace were settled in *England*, they might look for no Security to *Scotland*. And in their Letters to His Majesty, they continued to represent the desperate estate of Affairs, if he did not quickly satisfy them in the business of Religion: and that the Money for the Pay of the Army, was now coming in daily at *London*, and would be quickly ready; and after that was sent down, they could not keep the Army any longer in *England*, without a present Breach, to which they found no inclinations in the *Scottish* Parliament, as long as they were not satisfied in what

was

was so earnestly desired. But the King was firm to his first Resolution. *An. 1648.*

Master *Lesley*, at his return to the King, brought him such assurances of the Affection and Duty of both the Brothers, that the next Dispatch carried the following Letters to them.

Hamilton,

**I** Remember yet so much Latine as an old Proverb comes to, which is, quod valde volumus id facile credimus. This I apply to Robin *Lesley's* report of your Carriage in My present Service: concerning which, I will only say, that you shall not more certainly make good what he hath promised Me in your Name, than I will to you what he hath said in Mine; and even in something (by way of speaking) beyond My Power, I doubt not but to make it good, as concerning your French particular. But I shall leave all things not only of this nature, to this honest Bearers relation, but likewise whatsoever else may concern the Service of

Newcastle 24<sup>th</sup> Nov.  
1646.

Your most assured, real,  
faithful, constant Friend,

CHARLES R.

Lanerick,

**I** Have according to your Advice given a quick Return to this Trusty Bearer, having instructed him fully in what I conceive necessary to My Affairs, wherein, in many things, I have given him a Latitude to govern them according to your Directions; wherefore I will say no more, (because if I should enter into Particulars, I would not know how to end) but that with Contentment I find daily more and more cause to be

Newcastle 24<sup>th</sup> November,  
1646.

Your most assured, real,  
constant Friend,

CHARLES R.

Qq

POSTSCRIPT,

An. 1646.

## POSTSCRIPT.

*I recommend particularly the Earl of Morton's Affairs.*

Matters were now ripening unto much Confusion and Mischief, which made His Majesty think of a full Answer to the Propositions; but before He sent it to *London*, He communicated it to my Lord *Lanerick* in the following Letter.

Newcastle 4<sup>th</sup> Decemb. 1646.

Lanerick,

The Kings  
Letter about  
His Answer to  
the Propositions.

According to My Promise by little Nobs, I send you here inclosed, the Answer which I have resolved to send to London; wherein you will find a Clause in favour of the Independents, to wit, the Forbearance I give to those who have Scruples of Conscience: and indeed I did it purposely, to make what I send relish the better with that kind of People. But if My Native Subjects will so countenance this Answer, that I may be sure they will stick to Me, in what concerns My Temporal Power, I will not only expunge that Clause, but likewise make what Declarations I shall be desired against the Independents, and that really, without any reserve or equivocation; yet know, that no Perswasion or Threatning whatsoever shall make Me alter a tittle of any thing else in it, nor that neither but upon these Assurances.

The end therefore why I send you this before it go to the English Parliament, is, to try before-hand how I can procure it to be countenanced by My Scottish Friends, for which you are to use all possible industry, not seeking a full Approbation, but taking what you can get; absolutely commanding you not to hazard it in a Publick Way, unless you be sure that I shall receive no rub in it.

For this, I conceive it were a wrong to you, to use any Arguments to make you do your best, but to tell you this is Coup de partie; assuring you that I shall not judge you by the Event, but by your Endeavours, which I am confident will be according to your Professions: and for Gods sake, do not so much as expect, much less linger after any other or further matter from Me, whereby to serve Me in this great Business; for upon the Faith of a Christian, you shall have no more than what is now laid before you. And know that I rather expect the worse, than the better Event of things, being resolved (by the Grace of God, and without the least repining at him) to suffer any thing that  
Injury



*Injury can put upon Me, rather than sin against My Conscience, of Am. 1646.*  
 which upon My credit you see the furthest Extent in relation to the  
 present Affairs. I say no more but *difficilia quæ pulchra*, and so  
 God bless your Endeavours.

Your most assured, real,  
 constant Friend,

CHARLES R.

### POSTSCRIPT.

In order to that I have written and sent you herein, I have com-  
 manded this Trusty Bearer Sir James Hamilton, to tell you as many  
 things as I can remember; whom I desire you to return to Me (or  
 some other Trusty Messenger) as soon as you may with what I am to  
 expect from thence.

The inclosed Paper is marked on the back by the Kings Hand thus;  
*The Answer to the Propositions, which I have resolved to send to*  
 London; which I insert because it is not among His Majesties Print-  
 ed Messages.

His Majesties Answer to the Propositions, tendered  
 to Him by the Commissioners from the Lords  
 and Commons in the Parliament of England at  
 Westminster, and the Commissioners of the Par-  
 liament of Scotland.

CHARLES R.

AS it is His Majesties chief desire to make such a Return to the Proposi-  
 tions, as may speedily produce a blessed, firm, and lasting Peace in all  
 His Dominions; so He hath employed His uttermost endeavours, to give a  
 full and particular Answer to every Branch of them. But the more He con-  
 siders the nature of them, together with the high Importance, and variety con-  
 tained therein, (not without some ambiguity, as well in the several Proposi-  
 tions, as also in comparing the one with the other) so much the more He  
 finds it necessary to desire the help of Explanation, Debate, and Conference,  
 concerning some of them, (as he touched in His Paper) whereby His Un-  
 derstanding may be informed in those things, which as yet are not clear

The Kings  
 Answer to the  
 Propositions.

An. 1646. Him, His Reason may be more fully convinced, and His Conscience so satisfied, that without offence to either of them He may make such a particular distinct Answer, as may best attain His Desires of satisfying them: and though for the present His Majesty (at this distance from His Two Houses) wants the view of many necessary Papers, and other Assistances; yet at what disadvantage soever, He will apply Himself to give all the satisfaction that is in His power, desiring He may not be mis-interpreted in any thing He shall say or omit.

His Majesties Answer to the first Proposition is, That upon His Majesties coming to London, He will heartily joyn in all that shall concern the Honour of His two Kingdoms, or the Assembly of Estates of Scotland, or of the Commissioners, or Deputies of either of them; and particularly in those things which are desired in that Proposition, upon confidence that all of them respectively with the same tenderneſs will look upon those things which concern His Majesties Honour.

Concerning all the Propositions touching Religion, His Majesty says, that He has often and solemnly professed His Opinion concerning Episcopacy, to which He refers Himself; yet considering the present Distractions about Religion, which are so great, and of that nature, that Persuasion as well as Power, must be used to restore that happy Tranquillity which the Church of England hath lately and miserably lost, (for certainly Violence and Persecution never was nor will be found a right way to settle mens Consciences.) His Majesty proposes, that He will confirm the Presbyterian Government for Three Years, (being the time set down by the Two Houses) that is to say, that during the said time, the Church be governed by Classcal and Congregational Elderships, National and Provincial Assemblies, with their respective Subordinations, with such Forbearance to those who through scruple of Conscience cannot in every thing practise according to the said Rules, as may consist with the Rule of the Word of God, and the Peace of the Kingdom: and that the Office of Ruling-Elders, the Power of Elderships to suspend from the Sacrament of the Lords Supper ignorant and scandalous Persons, be all settled by Act of Parliament for the aforesaid Term; as also that the Directory be by the same way authorized for the same time; so that His Majesty, and His Household be not hindered from using that Form of Gods Service which they have formerly done: and also that in the mean time, and with all convenient speed, a Committee be chosen of Both Houses, to have a free Consultation and Debate with the Assembly of Divines, (being also willing the said Assembly shall be authorized to sit for the space of the said Three Years, twenty more being added of His Majesties Nomination) how the Church shall be settled and governed at the end of Three Years or sooner, if Differences may be agreed. Also it is to be understood, that those Committees shall have no Power, but of hearing, debating, and reporting, the better to prepare all these Differences for the Determination of His Majesty and the Two Houses.

To the Seventh and Eighth Propositions His Majesty will consent.

To the Ninth Proposition His Majesty doubts not but to give good satisfaction, when He shall be particularly informed how the said Penalties shall be levied and disposed.

To the Tenth His Majesties Answer is, That He is, and hath been always willing to prevent the Practices of Papists, and therefore is content to pass an Act of Parliament for that purpose; as also that the Law against them may be duely executed.

His

His Majesty will give His consent to the Act for the strict Observance of An. 1646. the Lords Day, for the suppressing of Innovations, and those concerning the Preaching of Gods Word, and touching Non-residencies and Pluralities.

And His Majesty will be willing to pass such an Act or Acts, as shall be requisite to raise Moneys for the payment and satisfaction of all Publick and past Debts, expecting that His also will be therein included.

As to the Proposition concerning the Militia, though His Majesty cannot consent to it in terminis as it is proposed: because thereby (as He conceives) He wholly devests Himself of the Power of the Sword intrusted to Him by God, and the Laws of the Land, for the Protection and Government of His People, and placeth the same (in effect) for ever in the Two Houses of Parliament; thereby at once disinheritting His Posterity of that Right and Prerogative of the Crown, which is absolutely necessary to the Kingly Office, and so weakening Monarchy in this Kingdom, that little more than the Name and Shadow of it will remain: yet if it be only Security for the preservation of the Peace of this Kingdom after these unhappy Troubles, and the due performance of all the Agreements that now are to be concluded, which is desired, (which His Majesty always understood to be the case, and hopes that herein He is not mistaken) His Majesty will give abundant Satisfaction; to which end He will consent by Act of Parliament, That the whole Power of the Militia, both by Sea and Land, be in the Two Houses for the space of Ten Years, and afterwards to return to its proper channel again, as it was in the time of Queen Elizabeth, and King James of blessed Memory. And now His Majesty conjures His Two Houses of Parliament, as they are English-men, Christians, and Lovers of Peace, by the Duty which they owe to Him their King, and by the bowels of Compassion which they have to their Fellow-Subjects, that they will accept of these His Majesties Offers, whereby the joyful News of Peace may be again restored to this languishing Kingdom. His Majesty will grant the same to the Kingdom of Scotland, if it be desired, touching the conservation of the Peace betwixt His two Kingdoms.

Touching Ireland, His Majesty will give full satisfaction, as to the managing of War; and for Religion, as in England.

Touching the mutual Declaration proposed to be established in both Kingdoms by Act of Parliament, and the Qualifications, Mollifications, and Branches which follow in the Propositions; His Majesty truly professes, that He does not sufficiently understand divers things contained therein: but this He sufficiently knows, that a General Act of Oblivion is the best Bond of Peace, and that after intestine Troubles, the Wisdom of this and other Kingdoms, hath usually, and happily in all Ages, granted general Pardons with none or very few Exceptions, whereby the numerous Discontentments of many Persons and Families (otherwise exposed to Ruine) might not become fuel to new Disorders or the seeds of future Troubles. His Majesty desires that His Two Houses of Parliament should seriously descend into these Considerations, and tenderly look upon His Condition herein, and the perpetual Dishonour that must cleave to Him, if He should thus desert so many persons of Condition and Fortune, that have engaged themselves with Him, only out of a sense of Duty. His Majesty is very unwilling to enlarge Himself further upon this Subject, but earnestly desires that upon Conference these Particulars may be better understood and reconciled, wherein He will condescend to all that in Honour and Justice He may do concerning the same; and then they may likewise particularly consider, and conclude



An. 1646. clude, of the best Means to discharge the Publick Debts, as likewise those of His Majesties: and then His Majesty will apply Himself to the Consideration concerning the Seals, and any other thing now casually omitted, or to which for the present (without further Information or Debate) His Majesty cannot give any positive Answer.

As for the Offices which are mentioned in the 17<sup>th</sup> Article, albeit His Majesty judges that the free Disposal of them is a necessary Flower of the Crown; yet he is content, for the space of these next Ten Years to come, to nominate such, both for England and Ireland, who after shall be approved of by the Two Houses, to be enjoyed by these Persons *Quam diu se bene gesserint*, so that after the said Ten Years, they shall return to be disposed of as formerly.

His Majesty will very willingly consent to the Act, for the Confirmation of the Priviledges and Customs of the City of London.

And now that His Majesty hath thus far endeavoured to comply with the Desires of His Two Houses of Parliament, He conceives it seasonable for Him to propose some things for Himself, which (if consented to) may be a testimony of their reciprocal Affections to Him.

First, that an Act of Oblivion and General Pardon be passed by Act of Parliament, whereby all the seeds of Discontentments and future Troubles may be quite extirpated.

Secondly, that the Two Houses would settle upon His Majesty, such a certain Revenue as may be honourable, and sufficient for the support of Him, His Wife, Children, and their Families.

Lastly, that this Agreement may be firm and lasting, His Majesty desires to come to Westminster, with honourable Freedom and Safety, there solemnly to confirm the same; where He may both give and receive Pledges of mutual Love, Confidence, and of Trust with them in all things, which shall concern the good and prosperity of His People.

Newcastle the Decemb.

1646.

To this Letter with the Inclosed Message my Lord Lanerick wrote the following Answer.

Lanerick's  
Answer to  
His Majesty.

Most Sacred Sovereign,

I Immediately after the receipt of Your Majesties Commands of the 4<sup>th</sup> Instant, by Sir James Hamilton, I imparted under a tye of Secrecy Your intended Message to the Houses of Parliament to such Persons, as I knew were most tender of Your Majesties Honour and Happiness: but I must humbly beg Your Majesties Pardon, if my Freedom offend, since I cannot conceal so important a Truth as that. I cannot find many here satisfied with it, nor dare I promise the least Countenance to it from this Kingdom; seeing Your Majesty hath divers times verbally, and now again by Your Letter, assured me of Your Resolution to adhere to the Grounds contained in this Message. I shall not presume to make any Objections against it, having (when I had the honour to wait upon Your Majesty last) represented my sense of that You was pleased to send by Mr. Murray, whereof this in divers Particulars comes far short; for besides that it is as wanting in that Article concerning Religion, Your Majesty offers far less than you did at that time by the private Instructions Your Majesty then gave Him, in the Propositions about the Militia, Officers of State, and the Great Seal: yet I find not Your Majesties Condition is much more

pro-

promising at least to vulgar eyes. That Clause concerning the Liberty Your An. 1646: Majesty would allow to Tender Consciences, is one of the meanest Particulars, that is disliked in Your Majesties Answer to the Proposition concerning Religion: Your Majesties Preface to that Article, the Limitation of time to Presbyterian Government, the addition of Twenty of Your Majesties Nomination to the Assembly of Divines, the particular Exception of Your Own Family, and (what is most of all) the total omission of making any mention of the Covenant, are the most insisted-on Objections. But as I dare not think upon the sad Consequences (in relation to Your Majesties Person and Government) which will presently follow upon the Return of the Scottish Army, and Your Majesties declining to allow the Covenant, without which, though I presume not to press it, all that can be offered will not satisfy here; so I will not conceal the great advantages which I conceive the doing of it would bring to Your Majesty, and to those You study to preserve: for I am confident it might be so managed, as this Kingdom would not only declare themselves, for Preserving Your Majesties just Rights in Civil Relations, but likewise engage themselves for an honourable and speedy Invitation of Her Majesty to return from France. Besides an easie passing of all such, who during these Troubles have adhered to Your Majesty in England, with what else could be expected from faithful and dutiful Subjects. But I have by my impertinent Expressions exceeded both my Intention and Duty, for which I humbly beg Pardon for.

Edinburgh 8th Decemb.

1646.

Your Majesties most faithful,

most loyal, most obedient

Subject and Servant,

LANERICK.

Upon this His Majesty wrote what follows.

Lanerick,

I Like well of your accustomed Freedom, nor shall I alter My stile to you: and indeed as I am well satisfied with your Proceedings, in order to My Commands sent by Sir James Hamilton, so I wonder much, that My intended Answer had so ill a Reception among you; for a'beit I could not expect, that you would approve what I know is so much against your Wishes, yet I thought that even Common Charity (besides believe Me, there is also the Interest of the Country, which would be considered) might make you endeavour to make the best of that you saw remediless. Yet since what I sent you is so much mistaken, the rest is the less wonder to Me; for it amazes Me to hear, that some amongst you, who know every tittle that Will. Murray carried, say that this is far short in divers Particulars, when there is but one (which is the Militia) for which there is any colour, and not that neither but in a much wrested sense. And is it not so, when private Instructions are the only ground, which only permit a further Latitude to be made use of in case of absolute necessity,

His Majesty  
writes more  
fully on these  
Heads.

*An. 1646.* necessity, and not otherwise, it being a new kind of Incivility, that particular Freedoms should be esteemed Publick Obligations; yet if they think, they have so great a catch of it, so that Scotland will declare for Me, I will stand to the least tittle of these Instructions (nothing being omitted) according to their plain Grammatical sense. As for the Officers of State, certainly My Advocate will clear that Mistaking; for all the Alteration concerning them is only for the better Conformity of that Paper, which he brought from London. And for the Great Seal, upon the perusal of all My Papers, I have not wit enough to find from whence the ground of going less can be taken: but for Religion, I know not what to say, except endeavouring to be civil be termed a going less; if so, that fault shall be soon helped. And indeed I cannot but think it strange, that rather than to comply any thing with My Conscience, you will (I speak not personally to you, but to the Kingdom in general) submit to the Wills of those, who at least can never prove your Friends, and that to the visible Prejudice (I may say more) both of you and Me, though I express My endeavouring to content you, by shewing you more than a probable way for attaining your Pretensions, which you make altogether desperate by rejecting My Offer. And truly I am confident not to be single to think your Exceptions strange; for, first, civil Ingenuity uses not to be misliked; then, I rather expected Thanks for giving of some time to Presbyterial Government, than to have the Limitation of it objected against Me, especially since that without Me it cannot be established. And is it unfit for Me to have what is granted to all Publick Ministers by the Law of Nations? Yes, I cry you mercy, for Kings use to dispense, not to be dispensed with. And why will ye not have Twenty Divines of My Nomination, to speak amongst your grave Assembly? Is it that you misdoubt your Cause, or that you will not have it disputed? neither of these Reasons can I submit to, a third I cannot find. Lastly, as for your Covenant, when, and not before, I shall be satisfied in My Conscience that I may allow it, I will: but I see no way for that satisfaction, unless by such a Conference as I have proposed. Now for sad Consequences I know no Antidote so good as a clear Conscience, which (by the Grace of God) I will preserve, whatsoever else happen to

Newcastle 14<sup>th</sup> December  
1646.

Your most assured, real,  
constant Friend,

CHARLES R.

POST-



An. 1646.

## P O S T S C R I P T.

*I have so much work now, that if you had ten Brethren, what I have written is enough for them all.*

A few days after this His Majesty sent His last Message to the Two Houses, to be presented to the Scottish Parliament, with which he wrote the following Letters to the two Brothers.

Hamilton,

*I Thank you for the timeous advertisement you and your Brother have sent Me by this Bearer, whom I have returned to you with some Queries, which I desired a Friend of yours to write more at large to you, than I have now time for ; to which, and to this Bearer referring you, I rest*

Newcastle December 19<sup>th</sup>,  
1646.

Your most assured, real,  
faithful, constant Friend,

CHARLES R.

Lanerick,

*Since I saw by what Sir James Hamilton brought Me from you, what Reception My intended Message to London was likely, nay sure to have, and since My Conscience will not permit Me a further Length, (I know not what I may do upon a full and free Debate at London) I have sent another, the Copy whereof is here inclosed, which I expressly send you, to acquaint the Scottish Parliament with what I have done, and to desire their Assistance in it ; in which, knowing that your Fidelity needs no spurs, nor your Ability information what to say, I will say no more, but that I am*

Newcastle 19<sup>th</sup> Decemb.  
1646.

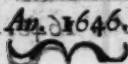
Your most assured,  
real, constant Friend,

CHARLES R.

But as for the inclosed Message, it being Printed among His Majesties Messages, it is needless to insert it here.

And now came on the fatal Turn of matters in Scotland, which shall be set down from a Letter of my Lord Lanerick's that follows, but to whom the Writer knows not, the Direction being lost.

An. 1646.


 Since my last, our Debates have been of so great Importance that I cannot conceal them. Yesterday we spent two Hours in the grand Committee, (the whole Parliament being present) and indeed to good purpose; for it was resolved, that present Instructions should be sent to our Commissioners, to press His Majesties coming to London with Honour, Safety, and Freedom, and that we should declare our Resolutions to maintain Monarchical Government in His Majesties Person and Posterity, and His Just Title to the Crown of England. But I confess this Day is the saddest I ever saw, for after Resolutions were taken of sending to His Majesty, it is carried that nothing but a Grant to the whole Propositions must be demanded, and in case of a Refusal the former Certifications given to His Majesty put in execution, of Securing the Kingdom, and Settling a Government without Him: and lest His Majesty should have hopes of engaging this Kingdom on easier terms, or thinking to come to Scotland, (where though He should lose England, He might exercise the Office of a King) it is to be Declared, that this Kingdom cannot lawfully engage themselves for His Majesties Preservation, albeit He should be even Deposed in England, He not taking the Covenant, satisfying in Religion, and giving a satisfactory Answer to the rest of the whole Propositions presented to Him in name of both Kingdoms. Besides it is to be Declared, that His Majesty will not be admitted to come to Scotland, where though He were, His Regal Function would be suspended, and even His Royal Person at least be put under Restraint, if not delivered up to the Parliament. While we were on these Debates, the inclosed Warning was presented to the Parliament by the Commission of the Kirk, which though you may think possibly high, yet really it is very moderate in regard of these Motions have been in Publick; for now all Private Meeting is quit by us in relation to His Majesties Person, which certainly will not only not be admitted to come into Scotland, but a joynt Course will be taken by both Kingdoms for keeping him in Restraint in England. And you may be confident, that will certainly be carried in despite of those that will oppose it. And to prepare us the better, before we come to a Resolution, we are to morrow to have a kind of Fast, and hear two Sermons in the Morning, (according to our Custom at St. Andrews before the Executions) and the rest of the Day is to be employed in taking a Final Resolution; which (without all peradventure) will be, to send Commissioners to His Majesty, to demand the whole Propositions, (for Religion will not satisfy) and to settle both Kingdoms without His Majesties Regal Authority, and imprison His Person in England, for He will not be admitted to come to Scotland. This I thought fit to shew you, from others you will hear what hath been every mans particular Carriage in the Debates; and our future Actions, though they prove not useful to His Majesty, yet shall witness to the World and Posterity, how we detest such Resolutions. However I shall boldly say, that some who professed at their parting from His Majesty, as much if not more than I did, and for ought I know were more trusted, have this day shewed themselves to the World in their natural colours; for truly I never remember to have seen any thing carried with so much violence and bitterness, as the Resolution of not suffering His Majesty to come to Scotland, our Declaring it unlawful to espouse His Interest, and the fitness of Restraining His Person in England. I dare not advise any thing, only this, whatsoever His Majesty intends to do, I wish it be done quickly, and I dare say upon my Honour, within few days He will not be master of Himself, nor His Resolution; and then

I doubt

*I doubt his Offers will come too late. I shall conclude, you never saw the An. 1646. stream so strong in Scotland, nor so desperate an Affliction, as doth now possess the heart of*

Your most humble Servant,

LANERICK.

And with this long account he wrote to His Majesty what follows.

S I R,

**I** Shall not presume to trouble Your Majesty with the sad relation of our Carriages here these last two days; the Particulars will be represented to You by others. Only give me leave to beg, that what Your Majesty intends to do be quickly done, for our Resolutions here will be sudden and sharp. Whatsoever other mens Carriage be, I am resolved to die rather than concur with them. This is the fixed Resolution of

Edinburgh 17<sup>th</sup> Decemb.  
1646.

Your Majesties most humble,  
most faithful, most obedient  
Subject and Servant,

LANERICK.

Now were the two Brothers, according to the variety of their tempers, swallowed up with the excesses of Passion. The Duke was all Melancholy and Despair, and Lanerick was full of Fury and Rage. But say or do what they could, all was in vain. One rare instance of the Kings temper appeared at this time, for after he had got this account, which brought him such ill tidings, he took no notice of it to those about him, but continued in a Game at Chess, and was as chearful as before. He was at that time thinking of making an escape from Newcastle by Sea, but whither he intended to have gone, does not appear to the Writer: to that Lanerick's Letters do relate, when they press his speedy resolving on what he intended. The design was thus laid. Mr. Murray had provided a Vessel by Tinnmouth, and Sir Robert Murray was to have conveyed the King thither in a disguise; and it proceeded so far that the King put himself in the disguise, and went down the back-Stairs with Sir Robert Murray. But His Majesty apprehending it was scarce possible to pass through all the Guards without being discovered, and judging it hugely undecent to be caught in such a condition, changed His Resolution, and went back; as Sir Robert informed the Writer. This came to be known to some: and one suspecting the Duke was in it, wrote to him earnestly to concur in no such design, and that the Kings getting out of their hands again would ruin all; that no man of Honour and Conscience ought to serve the King, since he would not serve God according to the Covenant: adding, that it seemed God had no mercy for the King or His Family, since His Heart was still so hardned in the matter of the Covenant; so high-flown were men at that time.

The Duke and Lanerick oppose things as much as they can, but in vain.



*An.* 1646. At London things went on with great dispatch: for the Retiring of the *Scottish* Army another hundred thousand pounds sterling was Voted to be paid presently, and other two hundred thousand pounds to be raised out of the Sale of Bishops Rents, and Delinquents Estates; whereupon it was agreed, that the Army should return to *Scotland* upon the delivery of the Mony, which was immediately to be sent down to *Newcastle*.

In *Scotland* upon the evening of the next day, after the Fast mentioned in the Earl of *Lanerick's* Letter, these infamous Resolutions, set down in his Letter, were Voted; and all that could be said by the two Brothers, or any few of their Friends who adhered to them, had no other effect but to drive it off a few minutes, the Tide made so strong the other way. The King at this time was much pressed both by the Queen from *France*, and by *Believere* the *French* Ambassadour, to consent to their Demands; but all was to no purpose, and my Lord *Lanerick's* last Letter prevailed no more than the former.

Most Sacred Sovereign,

*Lanerick*  
writes again  
to the King.

**B**T Monsieur Montrevil, I received Your Majesties of the 14<sup>th</sup> Instant, and do humbly acknowledge Your Gracious Reception of the Freedom I used in my former Letter. And now when Your Majesty doth see to what a height the Publick Resolutions here are grown, Your Majesty will soon find how just my Fears were, that Your intended Answer to the Propositions of Peace, if published here, would have received no Countenance nor Assistance hence, Satisfaction in Religion being still waved; without which as then, so I have always assured Your Majesty, there would be an absolute impossibility of preventing Your receiving eminent Prejudices from this Country. I shall not presume to reply to the Answers Your Majesty makes to the Objections were made here (for I did not then speak mine own Language) against Your Answer to the Propositions: I never laboured to perswade Your Majesty to grant them, from a sense of their Justness, but only out of an opinion of their fitness in relation to Your present Condition, which (by what Your Majesty will learn from the Bearer) is more threatening now than ever. I know the representation of Your Danger, in what horrid shape soever it may with Reason lie before You, will be as impertinent an Argument as any: yet though Your Majesty should neglect it in reference to Your Self, pity Your hopeful Children and Posterity, pity Your Subjects, and suffer us not to ruine our selves, which the Confusions we are running into will certainly bring upon us; and pity all those who have suffered for You, who will be exposed to certain Ruine. All possible means have been used in a Parliamentary way, which is the only mean left to prevent the extreme Resolutions that are now taken: but all is to no purpose, our best Friends forsake us upon any Motion, which may infer the least Latitude about the Covenant and Religion; and therefore as in the presence of God I must discharge my self to Your Majesty, and shew you the Resolutions now taken here in relation to the restraining of Your Majesties Person, and Governing the Kingdom without You, will be infallibly put in execution, if Your Majesty does not satisfie in the Covenant and Religion to the full, as it is demanded: neither will it be in the power of any in this Kingdom to prevent Affronts and Danger to Your Majesties Person, if You should have any thoughts of coming hither. Sir, I take God to wit-  
ness,

ness, I write this with a sadder heart than I would receive a sentence of An. 1646. Death against my self, and shall grieve more at the performance of that, than I should at the execution of this upon

Edinburgh, December 22<sup>th</sup>  
1646.

Your Majesties most humble,  
most faithful, most obedient  
Subject and Servant,

L ANERICK.

His Majesties last Message was presented to the *Scotish* Parliament, on the 23<sup>th</sup> of December, by the Earl of *Lanerick*, and backed by him with the warmest language that he could use; but nothing that was new being offered by it, a Compliance with it was not to be expected. It was also sent to *London*, and first presented to the House of Peers, whereat all, even those who were best-affected, hung their Heads, and sent it down to the House of Commons without a word; and there it met with the same Entertainment. The next Debate was about the Kings Person, and the mildest opinion was, that He should be kept Prisoner, some being for the excluding Him for ever from the Government. And for the place of His Restraint, some were for His stay at *Newcastle*, but it was carried that He should go to *Holmby*. And this passed without communicating it to the *Scotish* Commissioners. But when He was ordained to be kept in Safety for His Person, *Henry Martin* objected, that the King had broken the Peace, and why must the Parliament bind for His Safety? Some moved to preserve His Person according to the Covenant, and it was carried, which was thought a great point. For now it was esteemed, that the Covenant was that which must preserve the King, though His Ruine had been formerly imputed to it.

In the end of the year the *Scotish* Commissioners parted from *London*; and it being moved in the House of Commons, to send some with a Complement to them before they went, with the Thanks of the House for their *Civilities and good Offices*, those of the *Independent Cabal* argued much against that, of *good Offices* done by them, and reckoned many bad ones since the King went to *Newcastle*; and it being put to the Vote, it was carried by 24 Votes, to dash out *good Offices*, and only thank them for their *Civilities*. And so all those Noble Characters they were wont to give of the *Scotish* Commissioners, upon every occasion, concluded now in this, that they were *well-bred Gentlemen*.

Thus ended this present year, but none saw an end of miseries like to come.

An. 1647.

Anno 1647.

Commissioners  
are sent to the  
King from  
Scotland.

IN the beginning of the next Year Commissioners were sent from the Parliament of Scotland, to represent their late Resolutions to His Majesty. On the 12<sup>th</sup> of January they presented their first Paper, wherein they laid out all they could devise, for the pressing a satisfactory Answer to the Propositions; *expressing with what earnestness all Men were waiting for it, and that it would be received with more Joy than had been ever seen at any Coronation in England.* But after they had delivered this Message, and the 14<sup>th</sup> day was come, wherein the King promised His Answer, He told them, He must be resolved of two things before He could give His Answer. *The first was, if He was a Free-man or a Prisoner? adding, That if He were a Prisoner, it was the opinion of many Divines, that Promises made by a Prisoner did not oblige, though He did not assert that to be His own sense: the next was, whether He might go to Scotland with Honour, Freedom, and Safety, or not?* They declined long to give an Answer, and in that Debate three hours were spent; at length being put to it, they delivered all their severe Message in the following Paper.

And deliver  
the Votes of  
the Parlia-  
ment.

May it please Your Majesty,  
**WE** are commanded by the Parliament of Scotland, to represent to Your Majesty the many Inconveniencies will ensue upon Your Majesties Denial, or Delay of Granting the Propositions concerning Religion and the Covenant, and not giving a satisfactory Answer to the remanent Propositions; and particularly to represent the Prejudice will thereby arise to the true Reformed Protestant Religion abroad, and to the Reformation of Religion in these Kingdoms, the Danger of Your Majesties Person, and to Your Own and Posterities Government.

II. If Your Majesty (not granting the Propositions concerning Religion and the Covenant, and not giving satisfactory Answers to the other Propositions) shall relinquish England, we are commanded by the Parliament of Scotland to represent to Your Majesty, That in that case they find it unlawful for them to assist Your Majesty for Recovery of the Government, Your Majesty not granting the Covenant and Propositions as aforesaid.

III. We are commanded by the Parliament of Scotland to represent to Your Majesty, That they find Your Majesties Coming to Scotland (not granting the Propositions concerning Religion and the Covenant, and not giving a satisfactory Answer to the remanent Propositions) dangerous to the Cause, to Your Majesty, to Your Native Kingdom, and to the Union betwixt Scotland and England, and that the Kingdom of Scotland will be necessitated to take Course to prevent Your Coming.

IV. Both Kingdoms will take Course for disposal of Your Majesties Person, until such time as Your Majesty grants the Propositions, or otherwise agree with Your Majesties Parliaments.

V. We are commanded to make known to Your Majesty, that until Your Majesty grant the Propositions in manner fore-said, or that some Course be resolved by both Kingdoms concerning the disposal of Your Majesties Person, Your Majesty cannot be admitted to come or remain in Scotland with Freedom.



dom. And in case Your Majesty do come, we are commanded to represent An. 1647. to Your Majesty, That the Kingdom of Scotland will be necessitated to put such Attendants and Guards about Your Majesties Person, as may preserve You in Safety, and Your Kingdoms in Peace, and may prevent all Tumults, Insurrections, and Gatherings of Malignants.

We are further warranted to represent to Your Majesty, That if You do not grant the Propositions concerning Religion and the Covenant, and give a satisfactory Answer about the remanent Propositions, the Kingdom of Scotland will be necessitated to continue the Government without Your Majesty, as hath been done these years by-past.

Newcastle 14<sup>th</sup> January,

1647.

But the Answer they got shewed, that the King could not be threatened to the Doing of any thing He judged contrary to His Honour or Conscience. His Majesties Answer being returned back to Edinburgh on the 16<sup>th</sup> of January, which was Saturday, it was debated in Parliament, what should be done with His Majesties Person. All inclined to deliver Him up immediately to the English Parliament; at which Proposition the Duke and his Brother expressed their horrore, with language so full both of Reason and Affection, that nothing but violent and enraged Passion could have resisted it.

The King stands firmly to His Conscience.

It is resolved to deliver up the King, which the Duke and Lanerick much oppose.

They said, Would Scotland now quit a Possession of 1500 Years Date, which was their Interest in their Sovereign, and do it to those whose Enmity both against Him and them did now visibly appear? Was this the effect of all their Protestations of Duty and Affection to His Majesty? Was this their keeping of their Covenant, wherein they had sworn to defend the Kings Majesties Person and Authority? Was this a suitable return to the Kings Goodness, both in his consenting to all the Desires of that Kingdom, An. 1641. and in His late trusting His Person to them? what Censures would be past upon this through the whole World? what a Stain would it be to the whole Reformed Religion? and in fine, what Danger might be apprehended both to the Kings Person, and to Scotland, from the Party that was now prevalent in England.

But notwithstanding all this, the Question was put in these words, Whether they should leave His Majesty in England to the Two Houses there or not? so softly did the prevailing Party present that infamous Business to the Vote of the Parliament. The Dukes Vote was suitable to his Discourse and Temper, being a Negative uttered with much grave and deep Sorrow; but I shall set down Lanerick's, in the formal terms wherein he expressed it; *As God shall have mercy upon my Soul at the Great Day, I would chuse rather to have my Head struck off at the Market-cross of Edinburgh, than give my consent to this Vote.* The Earl of Lindsay, now Earl Crawford, was President, and so could not debate: but as in the stating the Vote he expressed much honest Zeal, so when it was carried in the Affirmative, he dissented from it, and to him those who had voted in the Negative did adhere. But some of their Friends were accidentally absent, others on design, and some downright deserted them; so that though there were divers who dissented, yet they were far short of being able to ballance the Vote. When all this was done, Lanerick with a deep Groan said, *this was the blackest Saturday that*

An. 1647. that ever Scotland saw, alluding to a great Eclipse that was many years before on a Saturday, from which it was still called the *Black Saturday*.

This being sent to the Commissioners at *Newcastle*, did not at all shake His Majesty, he being resolved not to yield to that, no not at *Holmby*, which He had refused at *Newcastle*.

The King is  
delivered, and  
sent Prisoner  
to *Holmby*,

In the end of the Month the *English* Commissioners and Forces came down, and the Arrears for the payment of the Army being delivered, the *Scotish* Army withdrew, and left the King in the hands of the *English*, who presently sent him to *Holmby*.

And this is a free and faithful Relation of that great Transaction, only in invidious Passages I have spared the Memories and Families of the unhappy Actors.

which is va-  
riously censu-  
red.

It was presently the matter of Discourse and Censure of Christendom, and brought an Infamy on those who acted it, which though an Indemnity could pardon, yet no Oblivion was able to deface. It was thought strange, since the King had trusted himself to *Scotland*, that they should have thus deserted Him. What grounds *Montrevil* had for giving the King those Assurances, did not appear; and certain it is, they were very slight ones, and were only from single Persons, but not from any *Junto* or Judicatory.

But generous minds thought the Kings frank casting Himself into their hands, was an Obligation beyond any Engagements they could have given. And it was thought strange madness in those of *Scotland* to do it at that time, since they saw the *Independents* prevailing, whose Designs against the Kings Person and Monarchy had been faithfully discovered to them by some of their Commissioners at *London*, and who were as little Friends to the Covenant and Presbytery as the King himself was; so that considering their Power, such a Strengthening of them brought Religion under a hazard of another nature, than could have been apprehended upon their Accepting of the Kings Concessions. But the Contradiction that this course had to the Covenant, was so plain that none could avoid observing it; for to make their King a Prisoner, was an odd Comment upon their Defending of His Person and Authority: and to do all that because he would not force his Conscience, was judged a strange Practice from those, who had so lately complained heavily against any appearance of Force upon Tender Consciences.

These were the Censures that generally passed on that Transaction: the Kings stiffness was also very much condemned, and most men not understanding the strictness of a Tender Conscience, thought it was Humour that swayed Him, and judged that in the posture Affairs were then in, He should have yielded to any thing, how unreasonable soever, rather than have so exposed Himself, His Posterity, and His Kingdoms, to such visible hazards; reckoning that no Form of Government that ever was, deserved to be so firmly adhered to. All persons looked for dismal effects from these Resolutions, few thinking the Friendship betwixt *Scotland* and *England* would be lasting: and all apprehended some strange Curse would overtake those who were active in this infamous Business.

Amidst these greater Reflections, there were some who suspected the Duke had not acted in that Affair with that Candour and Zeal He expressed: and this was chiefly founded on the base Votes of some of his Friends,

Friends, chiefly of one who had served him, but was then a Lord. But *An. 1647.* as the tract of this Account hath cleared the whole Progress of his Negotiation, so the visible affliction of his Mind, which drew after it a great indisposition in his Body, did abundantly refute these Calumnies. And indeed that great Mind which did not succumb under the hardest Trials, when it employed its utmost strength, was now reduced to the most pinching Straits, and almost to desperate Resentments; so that he repented his Stay in *Scotland*, since he foresaw nothing but imminent Ruine to King and Country: yet His Majesties opinion of his Zeal and Affection to His Service, was at this time proof against all Whispers, which appears by the following Letter.

Hamilton,

**I** Know it were needless to recommend this Bearer Will. Murray to you, but that his Persecution at this instant for My sake is such, that in a manner it even extorts these lines from Me, to tell you that your hearty and real dealing to procure his waiting upon Me, is a good occasion, which I am confident you will not let slip, to shew your constant zealous Affection to

Newcastle 29<sup>th</sup> January,  
1647.

Your most assured, real,  
constant Friend,

CHARLES R.

Now it was that genuine Melancholy and Horrour dwelt in all the Dukes thoughts, his Brother was too deeply prepossessed with the like apprehensions to minister much Comfort to him; only he pressed him not to give way to languishing Sorrow, but to see what could be done for setting things right again; and for infusing that sense of Shame and Horrour in all People for the late Action, which might prepare them to a Noble Reparation of it by a generous Engaging in the Kings Quarrel. And upon this much pains was taken to infuse Jealousies of the *Independents* in the minds of the Kirk-men, though there were other violent persons as careful to refute them.

*The Duke contrives how to turn Scotland to the Kings Service.*

Most of this Year was spent in possessing all mens Minds with these Apprehensions, so preparing them for what they designed to execute upon the first Opportunity. The Duke and the Earls of *Lauderdale* and *Lan-merick* were they, who united most closely and cordially for the contriving and prosecuting of that Design. The King was Prisoner at *Holmby*, without any other Liberty save that of taking the air sometimes: all his Servants were denied access to him, and so cruel was the zeal of his Enemies that it reached to his Soul; for they refused liberty for his Chaplains to wait on him, a favour not denied to the worst of Malefactors: but God was his Refuge, who supported him in all his Sufferings and Solitudes. The Two Houses wrote to the Committee of Estates in *Scotland*, that they should take such a joynt Course with them, as might tend most to bring things to a happy Peace.

S f

But



An. 1647.

Disorders rise  
in England.

But now the Jealousies betwixt the Parliament and the Army begun to grow visible and above board, for the Presbyterian Party in the Parliament saw their Error too late; most of them seemed to have intended the Kings Good, only they were mistaken, in Judging that the Parliament, in which they were most numerous, would never be disobeyed by the Army: but being disappointed in this, they ruined all, their confidence in their Power in Parliament having been the cause why they let the *Scotish* Army go home, for till they were gone, the *Independents* crouched under them, and trepanned them into Severities against the King, and the Dismissing of the *Scots*; who were no sooner gone, but the Army acted what had been before projected, but most industriously concealed from the Presbyterians.

Lauderdale is  
sent to Eng-  
land.

In April the Earl of Lauderdale was sent from Scotland to London, to insist on the motion for a Settlement with the King, and chiefly to hinder the adding of any new Propositions; and he was also Instructed to deal for a permission to the Duke and the Earl of Dumfermline to go and serve the King in his Bedchamber. But the Earl of Lauderdale found matters in great confusion at Westminster, for the chief thing thought on was the Disbanding of the Army, which was an unnecessary Burden to the Kingdom, many grounds of Fear appearing, that their Designs were to keep themselves up, and govern the Nation by a Military and Arbitrary Power: therefore such as were best-affected, judged it necessary once to disband them, before they engaged in a new Treaty with the King. But for that private Proposition concerning the Duke and Dumfermline, the Earl of Lauderdale seeing it would not take, because there was not a Family yet settled about the King, nor could it be expected that any from Scotland would be the first they would set about His Majesties Person, did not present it: and indeed the Duke's late Behaviour in opposing the Delivery of the King, had forfeited his Credit with those of England then in Power. But it is not my meaning to go on with a regular History of the irregular Transactions that past in England this Year: I shall only say so much of them, as will make appear what reason the Scots had for their Proceedings, and to clear what may have relation to the Dukes Concerns.

The Army  
refuses obedi-  
ence to the  
Parliament,

In the middle of May the King sent a new Message to the Parliament of England in order to a Treaty: but his Offers were the same (upon the matter) they had been at Newcastle, and so not like to take; and the Two Houses were then busied about Disbanding the Army. They therefore ordered the Army to be disbanded, and some of the Forces they kept up to be sent over to Ireland; and all Satisfaction being offered, the time of their Disbanding was named. But the Ring-leaders of the Army disposed them to mutiny against the Parliament, upon pretence of want of Satisfaction in matter of Money, and Reparation in point of Honour; so the Army drew to a Body, and erected a Court who were called the *Agitators*. Mean-while Cromwel puts his Party in the House of Commons, on the Recalling of their Declarations against the Army, and goes to the Army, though his Commission was expired. More Money was offered to the Army, but nothing was accepted; only divers of the Presbyterian Officers submitted, and subscribed for Ireland, whereupon they were by the prevailing part of the Army disbanded. And the Army to make a sure game for their Party, sent one Joyce (a Taylor by Trade, but now a Cornet by his Employment)

and takes the  
King from  
Holmby.

ment ) to *Holmby*, who came at twelve a clock at night, and forced *the King* to go with him against his will. Upon which the Earl of *Lauderdale* emitted a Declaration, in Name of the *Scottish* Nation, against that Force put on the Kings Person, contrary to all their Treaties and Declarations; and demanded that His Majesties Person might be presently set at Liberty, and brought with Honour, Freedom, and Safety, to some of His Houses in or about *London*: and after that he went to *Newmarket* to wait on the King, who was there with the Army. But the Army begun to abuse His Majesty into some Confidence in them, and used Him at another rate than had been done at *Holmby*. They gave free access to all His Servants to come to Him; they allowed His Chaplains to attend about Him, and serve in their Office according to the Liturgy, and permitted Him free Correspondence with the Queen, and every body else: and in their Discourses intimated their willingness to lay aside the Covenant, and allow the Toleration of Episcopacy and the Liturgy; all which, though smoothly said, was meant to cajole Him to his Ruine. As soon as His Majesty was at Liberty, He wrote the following Letter to my Lord *Lanerick*.

And use Him  
civilly.

Lanerick,

**T**He present condition of My Affairs is such, that I believe you and your Brother may do Me better Service at London than where you are; therefore I desire that both, or at least one of you, would come up as soon as you could: the rest I leave till meeting, and so farewell.

He writes to  
Lanerick.

Newmarket 22<sup>th</sup> June  
1647.

Your most assured, real,  
constant Friend,

CHARLES R.

To this my Lord Lanerick wrote this Answer.

Sir,

**Y**our Majesties Letter of the 22<sup>th</sup> of June had been immediately obeyed, if our Stay here for some time had not been conceived of more use to Your Majesties Service. Your condition is so variously represented here, that Your faithfullest Servants know not how to carry themselves; therefore the intimation of Your Majesties Own Pleasure would be of great use. No sooner shall the temper of People here (which for the present is strangely inflamed) be any thing allayed, than one, or both of us, You commanded, shall attend You according to the Duty of

Lanerick's  
Answer.

Your Majesties most humble,  
most faithful, most obedient  
Subject and Servant,

LANERICK.

An. 1647. His Majesty upon that wrote what follows.

Lanerick,

The Kings  
account of the  
usage he had  
in the Army.

**I***t is impossible for Me at present to give a Categorical Answer to your (I confess) necessary Question: all I can say is, that I am now at much more Freedom than I was at Holmby; for My Friends have free access to Me, My Chaplains wait upon Me according to their Vocation, and I have free Intelligence with My Wife, and any Body else whom I please, all which was flatly denied me before: besides, the Professions are much more frank and satisfactory to what I desire, of this Army, than ever was offered by the Presbyterians. And truly, if these People rightly understood their own Condition and Interests they must do what they profess, which is, that King, Parliament, and People, may each have respectively what is their own; and yet it must be their Actions, not Words alone, which shall make Me put Confidence in them.*

*Hitherto they have made Me no particular Offers, though daily pressed by Me; but as soon as I can clearly see through their Intentions, one way or other, I will not fail to advertise you with My Commands thereupon. In the meantime, having truly, though shortly, set you down the true estate of My present Condition, I leave you to judge, and do what you shall find best for My Service. So I rest*

Casam 12<sup>th</sup> July

1647.

Your most assured, real,  
constant Friend,

CHARLES R.

#### POSTSCRIPT.

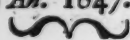
*I have intrusted this trusty Bearer with several Particulars, which I thought too long for a Letter.*

*And the day after that he wrote again.*

Lanerick,

**T***His is, first, to recommend this honest Bearer to your Care, to further him in passing of those small Favours I have bestowed upon him; next, that you would do your best, for the relief of those Gordons who were lately taken; both which as to you were*



were needlesß, but that I know it is fit for Me at all occasions to *An. 1647.*  
 expreß the Care I have of those that wißh Me well. So farewell. 

Casam 13<sup>th</sup> July  
 1 6 4 7.

Your most assured, real,  
 constant Friend,

CHARLES R.

### POSTSCRIPT.

*Send me word if you have yet remembred your Promise to Me  
 concerning the late Archbishop of St. Andrews his Book.*

To which my Lord Lanerick wrote this Answer.

May it please Your Majesty,  
 Yours of the 12<sup>th</sup> I received yesterday. We are joyed for what you write *Lanerick's Answer.*  
 of the Civilities you met with, but are full of doubts and fears of their  
 Continuance, especially since we are informed, that notwithstanding all  
 Publick Professions, strange Demands are preparing to be offered to Your  
 Majesty. I ever hated thralling of Consciences, yet I shall be sorry, there  
 were no other price of Spiritual Freedom than Your Majesties loss of all  
 Temporal Power. This Kingdom will be easily induced to venture their  
 Lives for the last, but none will hazard the first; since they will not declare  
 for Your Majesty, but clogged with the Covenant. It was thought fit to de-  
 lay all Resolutions untill the 5<sup>th</sup> of August next, expecting against that time,  
 either from the nature of the Demands we hear are now to be made to  
 Your Majesty, or from the carriage of the Army to Your Sacred Person,  
 grounds will be given either to rest satisfied, or to resent it as becomes Loyal  
 Subjects. It is wished Your Majesties true Condition and positive Pleasure  
 may be made known (from Your Self if possible) against that time, when  
 certainly the sense both of this Church (seeing the General Assembly will be  
 then sitting) and State upon the present Differences in England, as they  
 have relation to, or can have influence upon Scotland, will be made known.  
 It is wished Your Majesties Prudence may prevent further Prejudice, by go-  
 ing at first the full length You intend, in granting what Conditions shall be  
 demanded; or if You find them absolutely destructive to You, to put Your  
 Self in that Condition, that our Persons and Lives may be of use to Your  
 Majesty, which shall be the constant care of

Edinburgh 21<sup>th</sup> July,  
 1 6 4 7.

Your Majesties most faithful,  
 most loyal, most obedient  
 Subject and Servant,

LANERICK.

POST.

An. 1647.

## POSTSCRIPT.

*I have not as yet been able to put Your Commands in execution concerning the Bishop of St. Andrew's Book, in regard the Copy I have is both uncorrect, and wanting in many essential things; but I have already taken a Course to have that supplied from a true Copy of the Original, now in the possession of our Commissioners at London.*

His Majesties Answer follows.

Lanerick,

**Y**ours of the 21<sup>th</sup> Instant I received yesterday, having before resolved to have written to you, though I had received none from you, to shew you from time to time what My Condition is. And yet for easing My pains, I have thought fit to refer you to the Bearer John Chisley, to tell you the true State of Affairs, with My Opinion thereupon, to whom I have largely and fully spoken My Mind: wherefore I will only say this one word, that whatsoever you resolve on, you must not think to mention (as to England) either Covenant or Presbyterian Government; for it will ruin you, and do Me no good, experience of which was clearly seen at Newcastle. So desiring you to trust this Bearer, I rest

Wooburn 27<sup>th</sup> July,  
1647.

Your most assured, real,  
constant Friend,

CHARLES R.

The Army  
forces the  
Parliament.

The Army drew nearer London, declaring they came to restore the King, and to reform the Parliament. This was Popular, and took with many, wherefore the Parliament, to undeceive both King and People, Voted His Majesties coming to Richmond for a Personal Treaty, and that the Army should not come within thirty miles of London. But the Army refused obedience, and carried the King with them, and sent threatening Messages for Recalling of those Votes: and they designed next to model the Two Houses; whereupon a frivolous general Charge was drawn against 11 of the most considerable Members, who withstood their Designs, and they pressed their Suspension from the House. But it was Voted in Parliament to be against Law, to suspend any Member upon a general Charge, without bringing in, and proving special matter. And the Two Houses did choose a Committee of Safety to Treat with the City of London, for Raising a new Militia for their own Security, and some of the Trained Bands were drawn together under Presbyterian Officers. Upon this the Army came to London, forced the Houses to recall their Votes, and disband their Forces, and drove away the eleven Members. And thus having over-awed both

both Parliament and City, they began to levy new Forces : but soon *An. 1647.* as they withdrew from *London*, the Citizens of *London* came in great numbers to *Westminster*, and petitioned to have their *Militia* settled again according to their former Votes ; which being granted, the Parliament next day was at liberty, and the Secluded Members returned. About the end of *July*, the Earl of *Lauderdale* going to wait on His Majesty, who was then at *Wooburn*, was not only hindered access, but by the Violence of the Souldiers carried away ; and say or complain what he would of the Violation of the Treaty with *Scotland*, and the Law of Nations, by that Affront put upon a Publick Minister of another Kingdom, he could not prevail, but was forced to be gone. After this the King was Voted to come to *London*. But the Army, instead of Obedience, came thither again, and by the interposition of some treacherous People got the City surrendered to them : whereupon they marched through it in Triumph with Lawrels in their Hats, and came to *Westminster*, bringing with them the two Speakers, and some other Members of their Party, who had run away from the Parliament, pretending Fear, though no appearance of it had been in the Proceedings of the Parliament. *Fairfax* was declared Captain-General of all *England*, Constable of the Tower of *London*, and Commander of all the Garisons, and then they fell to the Purging of the House. And besides the forcing the eleven Members to flee, seven of the Lords were also impeached ; and all Orders that past in the absence of the Speakers were repealed ; yet this was not carried but upon a fortnights Debate. Divers of the City of *London*, with the Mayor and some Aldermen, were likewise charged and imprisoned : and all this was upon a general Accusation of their designs to raise a new War.

Those in *Scotland* being advertised by their Commissioners of all that passed, failed not to make good use of it, to stir up the Affection and Duty of all to appear for His Majesty ; which prevailed generally, and even the Ministers begun both from their Pulpits, and by their Remonstrances, to complain of the Prevailings of the Sectarian Party, and of the Force that was put on the Kings Person. But the old language of the *Covenant* and *Presbytery* was still in their mouths ; yet all were pretty forward for a real Repentment of the late Disorders in *England*. Only Mr. *George Gillespie*, who was indeed of good parts, but bold beyond all measure, withstood these Inclinations, and represented, that the greatest Danger to Religion was to be feared from the King and the Malignant Party. He was suspected of correspondence with the Sectaries, which some Letters in my hand written in Cypher give good grounds to believe. Certain it is that he proved a very ill instrument, and marred that great Design, by which all former Errors might have been corrected. Thus as the Duke and his Friends designs began to appear, there was a violent Party no less careful to withstand them. Therefore it was not judged fitting the Duke should leave *Scotland*, his Service in it being greater than any he could do in *England* : besides, his being a Peer in *England*, made him more obnoxious to their fury than any other *Scotchman* could be. But His Majesties Concessions about Religion pinched them much, and the Liberty offered to Tender Consciences did very much disgust the *Scottish* Clergy ; for in *Scotland* a Toleration was little less odious than Episcopacy, and nothing but *Presbytery* would satisfy them.

In



An. 1647. In the end of August they sent Mr. Lesley to His Majesty, to represent the State of Affairs in Scotland, according to the following Instructions.

The Duke  
sends a Mes-  
sage to the  
King.

- Y**ou shall shew what Endeavours have been used to incense this Kingdom against the Proceedings of the Army under the Command of Sir Thomas Fairfax: witnes George Windram's Relation, the Declaration of the General Assembly, and the Voice of the daily cryes from the Pulpit.
- II.** You shall represent what Industry was used to precipitate a present Engagement, upon the grounds of the Covenant; and for Settling Presbyterial Government in England, who were the pressers, and who were the opposers of it.
- III.** You shall shew what Pains were taken by the moderate Party here, to procure the sending of Commissioners to His Majesty and the Parliament, thereby to procrastinate and delay all Resolutions, till their return, or a report from them; which will probably consume the rest of this Summer, and for this Year prevent a new War, except upon eminent advantage.
- IV.** You are therefore to represent how necessary it is for preventing Prejudices from hence, that a free Passage and all other Encouragements be given to those who are now to be employed; if that shall be refused, or the Law of Nations in their Persons violated, a Breach betwixt the Kingdoms cannot be longer prevented.
- V.** You shall shew, that if it had not been for His Majesties Commands to the Moderate Party here, a Scottish Army had e're this time been in England; which so long as His Majesty is well used, they are hopeful to prevent, but if His re-establishing be delayed, a greater Army than ever Scotland raised will own His Quarrel.
- VI.** You shall shew, that the Instructions now given to our Commissioners, who Treat with the Parliament, are only Generals; the chief whereof is, That His Majesty be again invited to come to London with Honour, Freedom, and Safety; the delay whereof is exceedingly ill taken here, and nothing would give so general satisfaction to this Kingdom, nor more stop the mouths of Incendiaries than that His Majesty were so at London.
- VII.** You shall shew, that the Message that was to be sent to His Majesty, was only to represent to Him the constant Affection of this Kingdom, their longings to see Him re-established in His Throne, their Resolutions never to withdraw themselves from under His Government, and their Desires to know immediately from Himself in what Condition He is, since the Safety of this Kingdom so much depends upon the Safety of His Person.
- VIII.** You shall shew that the Disorders in the High-lands are now composed, and our Army is to be scattered in several quarters through the whole Shires of the Kingdom.

With these Instructions My Lord Lanerick wrote what follows to His Majesty.

Sir,

**S**ince eminent Advantages for Your Majesties Service could not at this time be procured, but at the old rate of satisfaction in Religion and the Covenant, our Study hath been to prevent Prejudices and Disservices, wherein our endeavours have not proved unsuccessful, though even in that we met with extraordinary Opposition. The Particulars will be shewed to

Your

Your Majesty by the Bearer, with the humble sense and advice (upon the An. 1647. whole as it now stands in relation to this Kingdom) of

Edinburgh, 23<sup>th</sup> August,  
1647.

Your Majesties most humble,  
most faithful, most loyal, and most  
obedient Subject and Servant,

LANERICK.

To which His Majesty answered.

Lanerick,

I Very much like and approve of Robin Lesly's Discourse and Instructions; but I do not so well understand your Letter of the 23<sup>th</sup> of this Month, as not agreeing fully with what Robin hath said, and shewn to Me; wherefore I have the more reason to desire you to hasten your Coming up. In a word, every minute that you stay, 'tis so much the worse for the Affairs of

Hampton-Court 29<sup>th</sup> August  
1647.

Your most real,  
constant Friend,

CHARLES R.

For Particulars I refer you to Robin.

The King was then so filled with Hopes from Assurances given Him by the Army, that He was out of doubt of getting things carried by Treaty, and therefore continued to press Lanerick's Coming up. The Earl of Lauderdale wrote also to Scotland, that some Person of Eminence might be sent to concur with him in the great Transactions that were coming on; whereupon the Lord Chancellour and Lanerick were appointed to go up; upon which a Pass was signed by Fairfax, for the Earls of Lowdon and Lanerick (according to the desire sent from Scotland) to come and wait upon the King. The King is abused by the Army.

But their Coming up was delayed, the occasion whereof is given in the following Letter written by my Lord Lanerick to the King; which though I set down in the due Stile, yet both it, and almost all the Letters written this Year, being in Cypher, run in the third person: but for making the Narration smother, I have presumed to change their phrase a little.

Sir,

The difference betwixt Robin's Relation and my Letter of the 23<sup>th</sup> of August last, I shall easily reconcile, when I shall have the happiness to see Your Majesty; for I can hardly speak truth and sense, without running a hazard The Reason is that stopp Lanerick's Journey for some time.

T t

An. 1647. hazard of making my self useles, and uncapable of speaking at all. Those of the Chancellor's Friends, who were against his being employed at this time, take occasion to press a Delay to his, and my present Going to London, or Court, from the Two Houses their not yet answering a Letter the Committee here wrote to them, for Reparation of the Affront done to the Earl of Lauderdale, and for Assurances to all Commissioners employed from this Kingdom: so until a satisfactory Answer be returned to that Letter, it is alledged that their Going will be useles, since (except they be allowed by the Two Houses) access to Your Majesty may still be denied them, and so their Endeavours to serve You frustrated. This is the rather urged by reason of many informalities in the Pass sent them by Sir Thomas Fairfax, by which they were only warranted to come to Your Majesty at Hampton-Court: and if You chance not to be there, it doth not warrant them to wait upon Your Majesty in any other place; especially since it bears not at all a liberty for them to go to London, where their Endeavours probably would be of the use. If the Earl of Lauderdale had not been affronted, they would not have desired any Assurance at all; but that being unrepaired, (for they are not at all satisfied with Sir Thomas Fairfax his Answer to the Two Houses Letter in that particular) if they shall have occasion to move any thing in Your Majesties Favours, which shall be disliked by the Parliament or Army, they may chance to meet with the same or worse Usage that Lauderdale did. I was not so scrupulous, but willingly would have hazarded through these (or any) Difficulties, being required, as I am, by Your Majesty to haste thither; but the Chancellor's Stay would have made my single Going (I being only employed to Your Majesty) useles: yet if it shall be thought fit, and I again commanded to it, want of Formalities or Passes will not fright me from my Duty. In the mean time Instructions are this day sent to our Commissioners at London, to delay their concurrence in sending the Propositions of Peace to Your Majesty till the Chancellour's Coming; for the Committee resolved to adhere to their former Instructions, in pressing Your Majesties Coming to London with Honour, Freedom, and Safety, for confirming so far as You have already granted, by Your Message of the 12<sup>th</sup> of May last, and there to Treat upon the rest of the Propositions. Thus begging Pardon for this tedious account, I expect Your Majesties further Commands, which shall immediately be obeyed by

Edinburgh, 4<sup>th</sup> September  
1647.

Your Majesties most humble,  
most faithful, and most obedient  
Subject and Servant

LANERICK.

His Majesties Answer follows.

Lanerick,

**Y**OU had reason not to come up without the Chancellour, but I do not understand why you did both stay; for is this a time for Scotland to vie punctilio's of Honour with England, and thereby neglect (even almost to lose) the Opportunity of redeeming that Fault



*Fault which they committed at Newcastle ; certainly you are not yet in the right way. But seriously I write not this for you, but to you, that others by you might learn more wit. In a word, Time is not altogether lost ; redeem it for shame, and be not startled at My Answer which I gave yesterday to the Two Houses ; for if you truly understand it , I have put you in a right way where before you were wrong : remember the Proverb , Ill bairns are best heard at home. I say no more but make what haste you can, with your Colleague, to*

An. 1647.

Your most assured,  
real, constant Friend,

CHARLES R.

In the mean while a Message was sent from Scotland to the Parliament of England, for such a full Pass as was demanded, which drew on a great Debate: for *Hasslerig, Martin*, and others of that Cabal argued much against it , saying, why should *Lanerick* be sent up, who was a known Incendiary? and the *Latham* Letter mentioned in the account of the Year 1643, with many other Particulars were remembred. Next, they excepted against it, that by the Pass that was demanded it appeared, they were to go first to the King, as if they had been to Treat without the Parliament of England. But old Sir *Henry Vane* took them up sharply for remembring things which were long ago buried ; yet the Heat was so great, that it was referred to a Committee to consider of it, but in end it was granted.

*Lowdon and Lanerick with difficulty are permitted to wait on the King.*

All this while the Earl of *Lauderdale* went not near *Westminster*, because he got not Reparation for the Affront put on him by the Army ; but was extremely vexed to see the King possessed with such a good opinion of the Army, and used all the ways he could think of to undeceive Him.

In the beginning of *October* the Earls of *Lowdon* and *Lanerick* came to *London* ; and with them the Earl of *Lauderdale* went to wait on the King, who was then at *Hampton-Court* ; and after they had learned from Him the State in which His Affairs were, and had expressed the Sense and Affection of His Subjects in *Scotland*, who judged all their happiness to depend upon His Settlement on his Throne, they fell upon their Treaty with the Parliament. But the Army was beginning to take off their Mask, and change their Stile : for having now seated themselves in the Power, they begun to contrive how to execute what they had always designed, which was the Ruin of the King, and the Subversion of Monarchy. And a new Party among them called the *Levellers*, did avowedly own Principles contrary to all Order and Government, so that there was great ground to apprehend Danger to the Kings Person. My Lords of *Lowdon, Lauderdale*, and *Lanerick*, represented to the King, that if He would give satisfaction in the point of Religion, he was Master of *Scotland* on what terms as to other things He would demand: but without that, they

*The Scottish Commissioners wait on the King,*

An. 1647. feared their Design of serving Him should meet with great Opposition; yet they resolved once to rescue Him out of the hands of the Army, or to perish in the Attempt.

and offered  
to rescue Him  
from the Ar-  
my.

The King ad-  
vises with Lau-  
derdale and  
Lanerick what  
to do.

A little after this, His Majesty being to hunt at *Nonfuch*, the Earls of *Lauderdale* and *Lanerick* came thither on pretence of waiting on His Majesty, accompanied with 50 Horse, which struck no small terrour in the little Guard that was about the King: whereupon these Lords told His Majesty, that they were come to rescue Him from His Captivity, and they, with all these they brought with them, were resolved to die at His feet; wherefore they intreated Him to make His Escape. But the King told them, He had engaged His Honour not to leave the Army without giving them Advertisement; and till He freed Himself of that, He would die rather than break His Faith. But the Leading men of the Army were now weary of the Kings being with them, and wished to have Him in some secure Place under a good Guard: whereupon they made reports be brought to Him, that the Levellers were designing against His Life. The King therefore called again the Earls of *Lauderdale* and *Lanerick* to Him some days before His Escape, and told them, He had freed Himself of the Engagement He had given not to leave the Army; He therefore desired their Advice what to do. The Earl of *Lauderdale* said, things being driven to such extremities, it was not safe to give Advice; but would His Majesty suggest any thing, he would with all candour deliver his Opinion about it. The King first spoke of His Going to *Scotland*; the Earl of *Lauderdale* said, that except He resolved to comply with their Desires about Religion, He might expect no better Usage from the Church-party there, than He had met with at *Newcastle*. Next the King moved His Going to *London*: the Earl of *Lauderdale* answered, that formerly that had been a safe Course, but now the City was so over-awed by the Army, that he durst not advise His trusting His Person to them; for the Tumults there were already great, and would undoubtedly grow upon His coming. The King asked, if He came, was He sure of the *Scotish* Commissioners that they would stick to Him in Name of the *Scotish* Nation? the Earl of *Lauderdale* answered, that all of them to a man should wait on Him, and own His Service at all hazards; but without Instructions from *Scotland* they could do nothing as Commissioners, but only in their own Names as His Subjects; and they had great reason to fear, the Church-party in *Scotland* would not own Him, nor order them to do it. Next the King spoke of His going to *Berwick*; whereupon the Earl of *Lanerick*, who till then had stood silent, begged of His Majesty, that for Gods sake he would follow that Motion: for if He left *England* the Army would pretend He was deserting His Kingdom, and so depose Him; but *Berwick* was a strong Place, which at that time lay un-garrisoned, the Country about it was generally well-affected, and so He might easily get a good Garrison to go in with Him: and by that means he was near *Scotland*, for the encouragement of those who resolved to serve Him. This was also backed by *Lauderdale*, and the King seemed fully resolved on it; so they left Him: of this the Author had his Information from the Earl of *Lauderdale*.

The King  
goes to the  
Isle of *Wight*;

A few days after this, His Majesty went to the Isle of *Wight*, and on the 16<sup>th</sup> of *November* sent a Message to the Parliament, which is Printed with the rest of the Messages, declaring the reason of His Going

to that Place, and inviting them to a Treaty, As for Religion he insisted on His Judgment about Episcopacy, as a Government settled by the Apostles; but was content it should be limited, so that the Bishops should act nothing in Ecclesiastical matters without their Presbyters, whereby they should be no burden to Tender Consciences; and that they should be obliged to reside, and labour, and preach in their Diocesses. Besides He continued His Offer for the Settlement of Presbytery for Three Years, till things were freely debated and considered; adding a Liberty to all Tender Consciences, except Popish Recusants. As for the *Militia*, He offered to yield it up to the Parliament during His whole Reign, and in other Particulars insisted on His former Concessions: and some days after that he wrote what follows to my Lord Lanerick.

Lanerick,

AS My coming hither will be variously scanned, so I believe that My Message to the Two Houses will have divers Interpretations, for neither of which I mean to make any Apology; for honest Actions at last will best interpret themselves: only I must observe to you, that what I have sent to London, the end of it is to procure a Personal Treaty, for which if I have striven to please all Interests with all possible equality (without wronging My Conscience) I hope no reasonable man will blame Me. Nor am I so unreasonable as to imagine that this My Message can totally content My Own Party: but for the end of it (a Personal Treaty) I hope that all the reasonable men on all sides will concur with Me, as I expect your Scottish Commissioners should do, though I know you must dislike many Passages in it. And yet I must tell you, that in substance it differs very little from My Message of the 22<sup>th</sup> of May. This I thought necessary to write to you, that you might assure your fellow-Commissioners, that change of Place hath not altered My Mind from what it was when you last saw Me. So I rest

and writes  
from thence  
to Lanerick;

Carisbrook, 19<sup>th</sup> November  
1647.

Your most assured,  
constant Friend,

CHARLES R.

#### POSTSCRIPT.

This is a safe Messenger, wherefore you or any other of My Friends may write to Me by him, desiring much to hear from you.

To this Letter the three Commissioners from Scotland wrote joyntly this Answer.

May



An. 1647.



May it please Your Majesty,

The Scottish  
Commissioners  
write to the  
King.

**Y**our Message left behind You at Hampton-Court gave great hopes, that Your Majesty was gone to some Place where you might be safe and free from Your Enemies, and where Your Majesties Friends might have access to You. But as the Place to which You are gone, so Your Majesties Message of the 16<sup>th</sup> hath infinitely disabled us to serve You; for what You offer in matter of Religion, comes far short of Your Majesties Message of the 12<sup>th</sup> of May: besides, it grants a full Toleration of Heresy and Schism for ever. And as for Your Concessions in things Civil, more is granted than was expected by some, or wished by others: and although we know not how effectual Your Majesties Message may prove for a Personal Treaty, yet our Endeavours shall be really contributed for that end, as we have done in part already. If this Message be rejected, a Personal Treaty denied, the new Propositions pressed by the Two Houses, and Your Majesty in no better Security than formerly, You would advise us in time what to do, and wherein we can be useful to Your Majesty, who are resolved to serve You as becomes

22<sup>th</sup> Novemb.  
1647.

Your Majesties most humble,  
most faithful, most loyal  
Subjects and Servants,

LOWDON, LAUDERDALE, LANERICK.

Next day His Majesty wrote what follows to my Lord Lanerick,

Lanerick,

His Majesties  
Answer to  
Lanerick.

**I** Wonder to hear (if that be true) that some of My Friends should say, that My Going to Jersey had much more furthered My Personal Treaty than My Coming hither, for which as I see no colour of Reason, so I had not been here if I had thought that Fancy true, or had not been secured of a Personal Treaty, of which I neither do, nor I hope shall repent; for I am daily more and more satisfied with this Governour, and find these Islanders very good, peaceable, and quiet People. This Encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to you, from

Carisbrook 23<sup>th</sup> Nov.  
1647.

Your most assured, real,  
faithful, constant Friend,

CHARLES R.

But

But in the end of *November* the Two Houses passed the four Bills *An. 1647* without the consent of the *Scotish* Commissioners, which was a manifest Breach of Treaty. In them the Covenant was not so much as mentioned, for they related wholly to Civil matters, as the perpetual Power of the *Militia*, the unlimited Authority of Parliament, and in effect the Giving up at once the Kings Authority. But the *Scotish* Commissioners complained and Remonstrated against this with open mouth, and gave in a large Remonstrance against the four Bills; Declaring, that contrary to all the former Treaties and Declarations, the Propositions made to His Majesty were still altered, the Propositions sent to *Newcastle*, to which notwithstanding their dislike of them, yet for Peace sake they had yielded, were now quite changed. They also protested, first, against the sending of Propositions without a previous Treaty, which they earnestly pressed, as the likeliest Course for removing all Mistakes, and bringing things to a Final Settlement; and therefore they insisted on their former *Desires* for a Personal Treaty in or about *London*. Next, they excepted against the Bills, both because the Covenant was quite omitted, and the Settling of the Uniformity of Religion was turned to a Desire for a vast Toleration. The Treaties with *Scotland* were not desired to be confirmed, but only the making of them to be approved, which was rather an Indemnity for making them, than a Confirmation of them. Next they remonstrated, that the Kings Legislative Power was quite taken away, by an unlimited Power they desired to be put in the Hands of the Two Houses, and that their Demand about the *Militia* did put the King out of a capacity of Protecting His Subjects. In fine, they complained of the making Propositions without the concurrence of the *Scotish* Commissioners; wherefore they remonstrated against the Bills, and resolved to follow the Commissioners, whom the Two Houses were to send to *Wight*, and protest against these Bills; upon which divers Papers passed betwixt the Two Houses and them.

The Two Houses pass the four Bills.

The *Scotish* Commissioners protest against them;

The Earls of *Lowdon*, *Lauderdale*, and *Lanerick* wrote their sense of these Bills to His Majesty thus.

May it please Your Majesty,

**I**T is of no advantage to expostulate about what is past, either the carrying Your Majesty into that sad Place, or the Prejudice Your Service, and we suffer by Your Majesties Message; for while You study to satisfy all, You satisfy no Interest.

and write to the King concerning them.

We shall insist on the grounds we went on at *Hampton-Court*, and shall constantly press a Personal Treaty at *London*: but not as the new Propositions do hold forth, which if Your Majesty agrees to, You divest Your Self, and Your Posterity of the *Militia* for ever; You settle this Army (and Entertainment for it) over Your Self, and Your Majesties People perpetually; and by giving leave to Adjournment, You and Your Parliament shall be carried about at the Armies Pleasure, as their Sub-Committee. If Your Majesty will further enable us, we shall by our Actions give more real testimonies, how intirely we are

25<sup>th</sup> November,

1647.

Your Majesties most humble,  
most faithful, and most loyal,  
Subjects and Servants,

LOWDON, LAUDERDALE, LANERICK.

*An. 1647.* With this *Lanerick* sent to His Majesty the Papers they gave in against the Bills, and the other late Votes, upon which the King wrote the following Letter.

*Lanerick,*

His Majesty is  
well satisfied  
with their Pa-  
pers.

**A**lbeit that Letters can ill dispute at this distance, yet I cannot but tell you, that many things may be fitly offered to obtain a Treaty, that may be altered when one comes to Treat; and there is a great difference betwixt what I will insist on, and what I will permit for the obtaining of a Peace. Likewise it is necessary in many respects, that I should seek to satisfy (as far as I can with Conscience and Honour) all chief Interests. All these things impartially and duly considered, I will boldly say, My Message will not be found much amiss; which recommending to Your better consideration, I must now desire You to give hearty thanks in My Name to your fellow-Commissioners (of which though you take a large share to your self, they will not want) for their Paper of the 17<sup>th</sup> of this Month. which was sent to the Two Houses: for seriously it is as full to My sense, as if I had penned it My Self. And let me tell you, that it will turn to the greatest Honour (I say no more) that ever befell you; wherefore I conjure you by all that is dear to wise or honest men, that you adhere close and constantly to it; and as the Song sayes, I ask no more. So I rest

Carlsbrook 29<sup>th</sup> November  
I 6 4 7.

Your most assured, faithful,  
real Friend,

CHARLES R.

To which, with another of that Date which His Majesty wrote to the three Lords, which is not in the Writers hands, they wrote the following Answers.

Sir,

They write a-  
gain to the  
King.

**I**N answer to Your Majesties of the 29<sup>th</sup> of November we shall first humbly acknowledge Your Favour, by conferring so great a Trust on us, and do engage our selves to the exactest Secrecy. As for a Personal Treaty, we are resolved still to insist on it, and that London may be the Place: but as to Your coming hither in Person, Your Majesty not having signified to us Your Resolution of declaring or concealing Your being here, or upon what assurance of Safety you can do either as Affairs now stand, we dare not presume to give a positive Advice herein; but leave it to Gods Direction, and Your Wisdom, though we wish from our Souls, You were out of those hands you are now again in. And albeit we can no ways joyn with Your Majesties Message, yet whatever Success our Endeavours for a Personal Treaty shall have, or what Place soever Your Majesty puts Your Self into; You may be confident, that you shall still have the reallest Assurance and faithfullest Services of

1<sup>st</sup> Dec. 1647.

Your Majesties most humble, most

faithful, and most loyal Subjects and Servants,  
LOWDON, LAUDERDALE, LANERICK.

Sir,



An. 1647.

Sir,

**J**ust now we received Your last of the 29<sup>th</sup> of November. The first of that Date we answered by James Cunningham, and can now say no more, as to Your coming to London, than we did by him: for though nothing is so much wished by us, as Your being out of their Power in whose hands You have put Your Self; yet we know not in what Safety Your Person could be here at London, considering the present Temper of the Two Houses, the Distempers of the Army, and the irresolution of the City. But not knowing what grounds Your Majesty goes upon, we cannot judge of that Design: yet since You are pleased to command us to offer our sense of a better, if we approve not of this, we shall presume to propose to Your Majesty Your Town of Berwick, as a Place both of Safety to Your Person, and of advantage for prosecuting Your ends of Peace, whether by a Treaty, or otherwise of restoring Your Self to Your Power, and Your People to their former Happiness. The Prejudice of abandoning Your Kingdom of England, (while Your Parliament is Sitting) will thereby be evited: Your Friends whether at home, or abroad, will have free access unto You; and if You shall think fit to make use of the Affections of Your Scottish Subjects, You already know upon what terms You can engage them, either to restore You, or fall with You. And as to the Safety of Your Person, besides the Affection of these Northern Places, (which is very great) and the Strength of the Place it self, (which upon Your Arrival with a few of Your English Friends may be possessed by You) Scotland hath not only 1200 Horse now together upon the Borders, but will be ready to imploy their whole Power for Your Personal Preservation in case of danger. If Your Majesty approves of this Motion, You will think upon the best, speediest, and safest way of executing it; and either in this, or what else You command, we will constantly shew our selves

Your Majesties most humble,  
most faithful, and most loyal  
Subjects and Servants,

Dec. 4. 1647.

LOWDON, LAUDERDALE, LANERICK.

On the 6<sup>th</sup> of December His Majesty sent a new Message to the Two Houses, with which he wrote to the Scottish Commissioners.

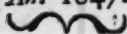
**A**S I heartily thank you for your Freedom, thereby perceiving your hearty endeavours for My Recovery; so there are so many Particulars, that I cannot at this time give you a positive Answer, but shall within few days. In the mean time I earnestly desire you to use your uttermost Endeavours, for procuring a Personal Treaty, which for the present will be the most acceptable Service you can do to

The King  
sends a Copy  
of His Message  
to the Scottish  
Commissioners

Your most assured, real,  
constant Friend,

CHARLES R.  
POST-

An. 1647.



## P O S T S C R I P T.

*I have sent you a Copy of a new Message (here inclosed) to the Two Houses, not doubting but you will second it; also desiring you speedily to advertise Me of any Resolution, that shall be taken to My disadvantage by the Houses: and of this I pray you be very watchfull.*

The Message being among the Printed Messages, is not inserted here, the Reader being referred to that Collection. The substance of it was, *An Expostulating that no return had been made to his last Message, notwithstanding which His Majesties constant tenderness to the Wellfare of His Subjects, and the sad condition they were now driven to, did so far prevail upon Him, that he vebemently pressed a Personal Treaty as the best means of Peace: so that the blame of retarding so great a Work, must fall somewhere else than on His Majesty, who as He had already offered to devest Himself of much of His Authority; so He did not doubt, but if they met Him with the same Resolutions with which He would meet them, the Kingdom should at last enjoy the Blessings of a long-wished Peace.*

At this time the Two Houses were designing to make His Majestie a close Prisoner, of which the Scottish Lords gave the King notice in the following Letter.

Sir,

They discover  
to him Designs  
against His  
Person.

**W**E are this day certainly informed, that the Committee appointed for Your Majesties Papers (whereof Mr. Lyle of the Isle of Wight hath the Charge, and whereof Mr. Martin Scot and that Cabal are Members) have resolved that present Order should be given, for making Tour Majesty a close Prisoner; and to remove Ashburnham, Berkeley, and Leg from You, and commit them to close Prison, with Resolutions to proceed to Extremities against Tour Majesties Person. The knowledg of this came to us from Jack Denham: besides, a Member of that Committee this day assured My Lady Carlisle, that within 24 hours Tour Majesty would be a close Prisoner. And to our certain knowledg there are Debates amongst the eminent Persons, by one mean or other to destroy Tour Majesties Person; and Consultations have been here, and in the Armies for this effect. Our information comes from some who were present at both: we could not be at quiet till we had advertised Tour Majesty of this, nor can we propose any better Remedy than we did express by Andrew Cole. If Tour Majesty does not resolve and act speedily, we fear our Endeavours to serve You will be too late, which would be the greatest Affliction could come to

8th Decemb. 1647.

Your Majesties most humble,  
most faithful, and most loyal  
Subjects and Servants,  
LOWDON, LAUDERDALE, LANERICK.

## P O S T S C R I P T.

Jack Denham's Intelligence is from the Clerk of the Committee.

At

At this time the Earl of Traquair came to wait on the King, and gave Him great hopes of the Fidelity of some of the most rigid of the Church-party in Scotland. He was sent by His Majesty to the Scottish Commissioners with the following Letters. An. 1647.  
Traquair waits on the King.

**T**He coming of Traquair hath much eased the pains, which otherwise I must have taken in performance of that Promise I made you in My last Letter by And. Cole; but I care not so much for the saving of My labour, as the inevitable loss of so much precious Time, which must have been spent, had I written so long a Discourse as that Promise required: wherefore I have freely and fully imparted My Mind to Traquair, as well concerning your Propositions to Me, as the making of some from Me to you. Having no more to say, but to desire you to give an entire belief, a willing ear, and a speedy answer to what he shall impart to you, I am

Carisbrook 8<sup>th</sup> December,  
1647.

Your most assured, real,  
constant Friend,

CHARLES R.

Lanerick,

**N**otwithstanding My Joynt-Letter, I think it most fit to write to you alone, to assure you that (if I have any Judgment) Traquair is right set for My Service; wherefore in a most special way I recommend him to you, to whom referring you, I rest

Your most assured, real,  
faithful, constant Friend,

Carisbrook December 8<sup>th</sup>,  
1647.

CHARLES R.

The Message trusted to Traquair, was, that as to matters of Religion His Majesty was unmoveable; but as for other things, wherein the Honour, or Interest of Scotland might be concerned, he was ready to give them the greatest and fullest Concessions that could be demanded: in answer to which the three Commissioners wrote what follows to His Majesty. The Kings  
Message by  
Traquair.

SIR,

**W**E have heard Traquair's Relation, whom last night we had dispatched to Your Majesty with our sense upon all the Particulars; but this morning he hath conceived his going at this time unfit, which forceth us upon this tedious way. And the receipt of Your Majesties of the eleventh Instant, makes us the more earnestly beg, that You would not suffer us longer to walk in the dark, but give us under Your Royal Hand an assurance that You will perform what is contained in that Paper concerning Religion; and withall

V v 2

insert,

The Scottish  
Commissioners  
their answer  
to it.



*An. 1647. insert, what You have scraped out of the Paper which we gave Your Majesty at Hampton-Court : and we shall oblige our selves to endeavour, that Scotland shall engage themselves for Your Restauration, and Civil Interests, as was expressed in those Papers. Without this Assistance we are absolutely unable to serve Your Majesty ; and although Doctor Goff shewed us Your unwillingness to allow of that Clause concerning the Covenant, yet we should but abuse Your Majesty if we gave You the least hopes that Scotland would be engaged at an easier rate : therefore we again beseech Your Majesty to haste to us Your clear and positive Answer, lest we forfeit our Trust with those that sent us hither, and You ( which to us would be more bitter ) perish by Delays. Our informations concerning the Restraint intended to be put upon Your Majesties Person, and some of those with You, are still confirmed ; therefore Your Majesty would speedily resolve to satisfie Scotland, and engage their Power for Your Assistance. Concerning the Duke of York, there is nothing we desire with more earnestness than to serve Your Majesty in what You would have done ; but being Publick Ministers, we cannot be the Actors of it, without absolutely disabling us to do Your Majesty any other Service ; and none else will engage in a matter of this nature upon any desire from us, without a positive Command from Your Majesty : therefore if You continue in that Resolution, we conceive it fit, You make choice of some such trusty Person as Your Majesty would employ in acting of it, and that You write to him for that effect, without taking any notice of us at all in Your Letter to him. We pray the Lord to preserve and direct You, who are unchangeably*

13<sup>th</sup> December,  
1647.

Your Majesties most humble,  
most faithful, and most loyal,  
Subjects and Servants,

LOWDON, LAUDERDALE, LANERICK.

After this His Majesty wrote these Letters to the Scottish Lords.

The King  
commands  
them to come  
to the Isle of  
Wight.

**T**Hough no time hath been, nor shall be lost for My Going from hence ; yet contrary to expectation, it will be ten days before the Ship can be ready. And I confesse that this had been too late, if the Governour would have permitted Forces in hither ; wherefore I am most confident that I shall not be surprized for time. And therefore I earnestly desire all you three ( or at least one of you ) to come hither without delay, for the full Conclusion of all things betwixt us ; for upon second thoughts I judge it less dangerous to go to London than to any Place else, except I were totally accorded with you. To conclude, if you will not counsel Me to go to London, without being publickly invited, make haste hither, as you love His Service, who is

Carisbrook 14<sup>th</sup> Decemb.  
1647.

Your most assured, real,  
constant Friend,

CHARLES R.  
Time

**T**ime was never more precious to any than it is at present to Me, *An. 1647.*  
 and therefore I am glad to take occasion upon Doctor Goff's  
 long Dispatch (which I received yesternight after I had written to  
 you) to return you by him such a draught of Articles betwixt us, as  
 your Signing it will make your Journey hither unnecessary: and I  
 am to take what Course you will propose in order to My Safety. I am  
 confident the necessity of this Accord in divers respects is so well  
 known to you that all Arguments are needless. Also I hope that the  
 particulars are so well worded, that you will make no difficulty to  
 pass them as they are: but if contrary to My expectation, you should  
 scruple at any expression, then necessarily all, or at least one of you,  
 must come hither with all expedition. So desiring you to believe  
 what Doctor Goff will say to you in My Name, I rest

Carisbrook 15<sup>th</sup> Decemb.  
 1647.

Your most assured, real,  
 constant Friend,

CHARLES R.

With this last Doctor Goff brought a full account of His Majesties  
 thoughts: but the *Scotish* Commissioners finding it impossible to adjust  
 matters, (which were of such importance) without waiting on His  
 Majesty, resolved to go to the Isle of *Wight*.

And that their Going might give less Jealousie, they resolved to go  
 after the Commissioners whom the Two Houses were sending with the  
 four Bills, that they might Protest against them.

At this time the Marquis of *Huntley* being in Arms in *Scotland*, and  
 not able to resist the Forces that came against him, was taken Prisoner;  
 which His Majesty understanding, he expressed his Concern for him, in  
 the following Letter he wrote to *Lanerick* about him.

Lanerick,

**H**earing that the Marquis of *Huntley* is taken, and know-  
 ing the Danger that he is in, I both strictly command  
 you as a Master, and earnestly desire you as a Friend, that  
 you will deal effectually with all those whom you may have any Inte-  
 rest in, for the Saving of his Life. It were I know lost time to use  
 Arguments to you for this; wherefore I judge these lines necessary to  
 add to your Power, though not to your Willingness, to do this most  
 acceptable Service for

Carisbrook 17<sup>th</sup> Decemb.  
 1647.

Your most assured, real,  
 constant Friend,

CHARLES R.  
 About

An. 1647. About this time the Queen wrote to my Lord Lanerick.

A Letter from  
the Queen to  
Lanerick.

Cousin,

**Y**ou will perceive by this that you cannot make more haste in obliging Me, than I shall on My part in witnessing My Acknowledgements of it. I ascribe a great deal of the good Inclinations your Commissioners do now express, to the good Offices you do, of which I intreat the Continuance. The testimonies of Friendship, which I receive from those of your Family, surprize Me less than what I met with from other Hands; and I promise My Self to see further effects of it. And as I have all the esteem of you that you can expect, so you owe Me the Justice of believing, that I shall give evidence of it upon every occasion that shall be offered to Me: nor shall I rest satisfied with that, but shall diligently search out every opportunity of expressing it. Therefore I entreat you to believe that I am,

Cousin,

Your very good, and very  
affectionate Friend and Cousin,

HENRIETA MARIA R.

The Scottish  
Commissioners  
go to His Ma-  
jesty.

An Agreement  
with the King  
to bring an  
Army for His  
Service.

Towards the end of December the Earls of Lowdon, Lauderdale, and Lanerick, followed the English Commissioners to the Isle of Wight: and after they had protested against the Bills, they concluded their Treaty with His Majesty, to engage for his Rescue, and Re-establishment on his Throne, and to bring in an Army into England, as soon as it were possible for that effect. The King on the other hand engaged to them, for all the Assistance they could demand from the Queen or Prince, or any other who would obey His Authority; and that the Prince should come to Scotland as soon as they found it convenient to invite him; and that His Majesty should grant all the Desires of Scotland, which with a good Conscience he could grant. And the Commissioners having advised and agreed with His Majesty, both about the Methods of carrying on their Designs, and the ways of keeping Correspondence with him, they resolved to return home to Scotland: and so they left His Majesty at Wight in the end of the Year.

But upon the Kings refusing to pass the Bills, he was made close Prisoner; and a Vote passed in both Houses against all further Addresses to him.



## MEMOIRES

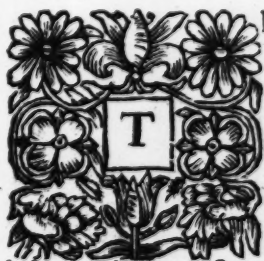
OF THE  
LIFE and ACTIONS  
OF

James Duke of Hamilton, &c.

LIB. VI.

*Of the Duke's Engagement for the Kings Preservation,  
and what followed till His Death.*

Anno 1648.



He former Book has given the Reader a just and full Representation of His Majesties Imprisonment, and the Danger his Person was in; of the Force put on the Two Houses by the Army, and of the breach of former Treaties with the *Scottish* Nation: and now it cannot but be imagined, that such Illegal and Unjust Proceedings must have inflamed the Resentments of all good Subjects, and more signally of such who had formerly been carried away in the crowd to act against the Kings Interests, but now seeing how fatal the Breach between the King and his People was likely to prove to both, were much concerned to correct all former Errours, and expiate all past Faults by a vigorous appearance for the Kings Rescue out of his Imprisonment. In order to this Design the Duke was not idle in *Scotland*, but by all the Art and Diligence he was Master of, did study to rouse up and work upon the Fidelity and Loyalty of that Nation; representing, that now an Occasion was in their Hands to witness to the World the sincerity of their Intentions for their King, when he was under so base a Restraint, and Designs were hatching against his Life: Would they now look on and see the King murdered, the Parliament of *England* over-awed, the City of *London* oppressed, the whole *English* Nation

The Dukes  
endeavours in  
*Scotland*.

An. 1648. Nation enslaved, the Treaties with *Scotland* so unworthily violated, the Covenant and Religion so neglected, and swarms of Sectaries overrun all? Now or never was the time for declaring themselves; and if Duty did not move them, yet the apprehension of their own Danger might provoke them to look to themselves; for did they think to escape the fury of the Sectaries, if they were so tame as to suffer them to prevail in *England*? therefore (all Laws Divine and Humane did oblige them to look to themselves, and to those Enemies of theirs. And there was good reason to hope for success, since besides the Blessing of God, which might be expected upon so just and Noble Enterprizes, the People of *England* were groaning under this Usurpation, and would be ready to assist them: and they had reason to expect a welcome from the City of *London*, and the better part of the Two Houses. These things did prevail much on the most of the Nobility and Gentry.

Three Parties  
in *Scotland*.

But at this time Three Parties begun to appear in *Scotland*. The one was, of those who would hear of no Proposition for the Kings Delivery, unless he first gave satisfaction in matters of Religion: and this was made up of the Preachers, and a few of the Nobility, and the Western Counties. Others were for a direct Owning of the Kings Quarrel without any restrictions; and for taking all Persons who had been in Arms for the Kings Service within it. The Earls of *Traquair* and *Calendar* were the chief of these, and many Noblemen were of it, who called themselves the Kings Party: but their Power in the Country was not great. The Duke was as much for that in his thoughts as any of them, but saw it impossible to effectuate the Kings business at that rate; and therefore judged it best to go on in so great a Design by degrees.

The present Strait was that he first looked to, which was the Rescue of the Kings Person; and he doubted not, if they once got a good Army engaged upon that account, though all were at first clogged with many severe Restrictions, yet it would be easy afterwards to carry things that were not to be then spoken of: and this way took with almost the whole Gentry of *Scotland*.

The Commis-  
sioners return  
to *Scotland*.

The *Scotish* Commissioners spent much of the month of *January* at *London*, establishing a good Correspondence with the Kings Friends in *England*: and they had Letters from *St. Germans* in *France*, in which the Queen and Prince undertook to make good to them all that had been promised by the King in their Name. And in the Commissions the Prince gave to Sir *Marmaduke Langdale* and others, for Levying of Forces in the North of *England*, he commanded them to receive their Orders from the Earls of *Lauderdale* and *Lanerick*, and follow their Commands. Thus having laid down the best Methods they could think of with their Friends in *England*, they set out for *Scotland* about the end of *January*.

At their coming to *Scotland* they found a general dissatisfaction with the Kings Message (in *November*) about Religion. And though all the Duke's Friends were ready to have hazarded their Lives for His Majesties Preservation, on these, or on easier terms; yet it was long debated amongst them, what the Consequences might be of engaging in so great a Work, not only without Unanimity, but with the Opposition of the Church, and most of those who had been of greatest Eminence and Power during the late Troubles. Wherefore they resolved

to

to give very extraordinary Compliances to their Desires, whereby they might either gain their Concurrence, or at least mitigate their Opposition, and determined to go a greater length than otherwise their Loyalties could allow of. But the Church-men, by the insinuations of Mr. Gillespie and others, were possessed with an opinion of their bad Intentions, and that their Resolutions (if they were blessed with Success) were to overturn all that had been formerly established: and so they resolved not to be satisfied with any Security or Proviso they might grant, believing that nothing they offered was really meant to be kept, and that all they intended was but Cajolery; therefore they determined to oppose them with their utmost Zeal and Industry.

A few days after the three Lords returned to Scotland, the following Letter came to them from His Majesty.

**U**Pon Saturday I received yours of the twenty fourth of January, <sup>A Letter from the King.</sup> and have written to Lee as you desired. Let no reports of any Personal Threatning against Me stagger your Confidence of My Constancy, nor hinder Scotland in what shall be best for Kingly Authority: lose no time in your great and honest Designs, for him who is

Monday 7<sup>th</sup> February,  
1648:

Your most assured,  
real, constant Friend,

CHARLES R.

#### P O S T S C R I P T.

I resolve within these two or three Days to write to you by a trusty Messenger, however I hope not to fail by these ways you mention:

To which they returned the following Answer.

May it please Your Majesty,  
**T**His day we received Your Majesties of the 7<sup>th</sup> Instant: Your Letter to Lee we hope may be useful. Our Resolution to serve Your Majesty cannot be shaken, with which we will go through or perish. The Clergy cannot be satisfied with what Your Majesty offers in Religion, for the reason expressed in our last of the 15<sup>th</sup>, yet we hope to engage them in the Work. We wish Your Majesty could further enable us in that Particular, as the only mean to procure Unanimity. In the mean time we will set up our rest on the procuring a speedy Engagement, though without that we cannot do it so much to Your Majesties advantage. Sir Marmaduke Langdale is come hither, and our first care shall be to secure Berwick and Carlisle, which ere this we had done, if our Forces had not been at too great a distance, scattered in their Quarters. They have now Orders in private to draw together, and we intend to act and speak both at a time.



An. 1648.

## P O S T S C R I P T.

*We want Arms and Ammunition exceedingly, and do earnestly desire the Queen may be pleased to endeavour the supplying us from France and Holland speedily.*

London falls  
off to the  
Church-party.

The Lord Chancellour ( though at first the most forward of them all for an Engagement, yet ) was quickly wrought upon to abandon his generous Resolutions; and not only turned over to the violent Church-Party, but some Months after was made do Penance by a solemn Acknowledgment in the High-Church of *Edinburgh*, for his sinful compliance with these unlawful Courses, as they were termed. *Traquair* played his old game a great while with both hands, and studied to make a Reconciliation with some Lords of the Church-party, if by any means they could have been engaged in the Design: and Mr. *Murray* of the Bed-Chamber, who was sent to *Scotland* from *France*, treated also long with the Heads of the Church-party, whom he thought more powerful in the Country, and so more able to deliver the King; but finding them so backward, without positive Concessions about Religion and the Covenant, he, and the rest of these called the Kings Party, were forced to unite with the Duke and his Friends.

They resolve  
the Duke  
should be Ge-  
neral, which  
he opposed  
much.

The first thing was to engage all the Officers of the little Army then standing, which was carried very successfully; and their next care was to fix on one to command. Those who united for engaging in the Kings Quarrel, designed that *David Lesley*, now Lord *Newark*, should command the Army to be raised; and he at first undertook the Service very cordially: but some of the Church-men fell upon him very furiously, and prevailed so far on others who had a great Ascendant over him, that he being of an easie nature, struck off, and refused the Service. Whereupon finding it necessary that a Person of Eminence and Integrity should command the Army, they resolved on making the Duke General, which he opposed to a high degree; saying, that he was resolved to hazard his Life with the first, yet he would decline all Command, knowing with what Calumnies he had been aspersed, and what Jealousies many had still of him, as if his Designs were for himself, and to the Kings Prejudice. And many yet alive, with whom he lived in the greatest Confidence, know with what earnestness he pressed them to set their eye on some other Person; but there were none to choose fit for the Trust, wherefore it was agreed by them all, that the Charge must be laid on him, to which he submitted with great Aversion.

The Parlia-  
ment meets in  
*Scotland*.

In the beginning of *March* the Parliament sate. Their first trouble was from the Remonstrance, which the Commission of the Kirk sent them against Association with Malignants, and of the danger Religion was in; which Paper they intended to have printed, but with much difficulty this was stopped.

There were Commissioners sent down from the Two Houses ( with whom Mr. *Stephen Marshal* came ) for Justifying their Proceedings, and keeping a good correspondence with the *Scottish* Nation: and notwithstanding all the Injuries done by them last Year, yet some of the Clergy, and of the Lords of their Party, were in a very good understanding with them. But first of all the Carriage of the *Scottish* Commissioners in *England* was approved in Parliament; next, there

there was a Committee of Eighteen appointed for preparing business, *An. 1648.* and to confer with the Commissioners of the Kirk, for giving them satisfaction; which was a long and slow Work.

On the 14<sup>th</sup> of *March* the *English* Commissioners complained, that they heard there were Designs among some Malignants to seize *Berwick*, which they desired these in *Scotland* would oppose; whereupon the Parliament referred it to the Committee of Eighteen to see to the Security of the Kingdom in that Affair, from which all the Members, who were of the Church-Party, dissented: and against this Vote the Commissioners of the Kirk sent in another Remonstrance, because they knew that Committee was so chosen that they would send Orders for the securing of *Berwick*.

On the 22<sup>th</sup> of *March* the Committee of the General Assembly, commonly called the Commission of the Kirk, gave in their large Paper consisting of a long Preamble and Eight Articles.

**T**He first was, That before they went on to a War, the Grounds and Causes of it might be well cleared. Secondly, that the alledged Breaches of the Covenant and Treaties might be condescended upon, and Reparation of them first sought. Thirdly, that there might be no such Grounds of War, as might break the Union of the two Kingdoms, and disoblige the Presbyterians of England. Fourthly, that none of the disaffected or Malignant Party might be admitted to Trust, but on the contrary that they should be opposed and suppressed. Fifthly, that the Kings late Concessions might be declared unsatisfactory. Sixthly, that they should engage not to restore His Majesty to the exercise of His Royal Power, till He should by Oath bind Himself and His Successors to consent to Acts of Parliament for confirming the League and Covenant, and settling Presbytery, the Directory, and the Confession of Faith. Seventhly, that none might be trusted, but such as were of known Integrity and good affection to the Cause. Eighthly, that the Church might have the same Interest in carrying on this Engagement, which they had in the Solemn League and Covenant.

great opposition from the Ministers.

These Demands run in so high a strain, that those of the Church-Party judged, either they would be rejected, and so the Church would pretend somewhat for their breaking with the Parliament; or if they were yielded to, it would so alienate the Hearts of the King, and all His Friends in *England* from them, that they would hate them as much as they did the *English* Parliament or Army. The Committee of Parliament found the Strait they were in, and saw what an unhappy practice it had been to give the Church-men so great an interest in Civil Affairs. Some were for brisker Courses, and for clapping up in Prison all the more turbulent Ministers; but the Duke apprehended great trouble from that, fearing it should raise stirs among the people, which might retard the design of the Kings Delivery, upon which all his thoughts were bent.

The hazard of intercepting Letters made the Intercourse by them so slow, that the Lords that corresponded with His Majesty had no Return from him before the beginning of *April*; and then they got that which follows.

An. 1648.

The King  
writes to his  
Servants in  
Scotland.

I Was as glad to see the constancy of your Resolutions, as I was sorry to understand the great Opposition you find in Your Undertakings. But as for any Enlargement concerning Church-affairs, I desire you not to expect it from Me, for such expectations have been a great cause of this My present Condition, which I assure you, I am still resolved rather to suffer than to wrong My Conscience or Honour ; which I must do, if I enlarge My Self any thing in those points. But I take very well the freedom of your Advice, because I see it flows from your Affection, being also confident that you will cheerfully and resolutely go on according to your Engagements to Me, who am

17<sup>th</sup> March,  
1648.

Your most assured, real,  
constant Friend,

CHARLES R.

And to this the Earls of Lauderdale and Lanerick wrote the following Answers.

SIR,

WE have received Your Majesties of the 17<sup>th</sup> of March. Nothing but the cruel slowness of Proceedings here would have made us so long silent, and that was occasioned by the great Opposition we have met with from the Ministers, and the rigid Persons, who strongly pretend Your Majesties not satisfying in matters of Religion ; and upon these grounds have gained upon many, and obstructed any Engagement. Yet we, and those we have interest in, are so sensible of our Duties, our Honour, and of Your Majesties sad Condition, (which goes nearer our Hearts than any earthly thing) that although an Engagement upon the terms we parted on be impossible ; yet we shall either procure Scotland's Undertaking for Your Majesties Person, or perish, let the hazard or opposition be what it can. We can boldly say we have the Major Vote of the Parliament clear, and if we were blest with Your Majesties Presence the work were done. We dare not presume in this troublesome way to express the particulars of our Difficulties or Resolution, but hope shortly to give a more satisfactory account, having vowed to live and die

22<sup>th</sup> March.  
1648.

Your Majesties most humble,  
most faithful, and most loyal  
Subjects and Servants,

LAUDERDALE, LANERICK.

Lanerick also wrote what follows, taken from an imperfect Copy under his hand.

SIR,



An. 1648:

SIR,

I Have been long silent, and possibly should have been so a little longer, had I not received Your Majesties of the 17<sup>th</sup> of the last Moneth; but lest I be involved in other mens Guilt, I must first speak and then perish, or do my Duty. Sir, at our first returning to Scotland, we met with a general Dissatisfaction with what you offered concerning Religion, from the Ministers and their Party; though all I have Interest in would have cheerfully hazarded their Lives for Your Majesties Preservation, upon these or easier terms: but after long Debate upon the Consequences of engaging in so great a Work, not only without Unanimity, but with the Opposition of the Church, and most of those who have been of greatest Eminence and Power during these late Troubles, this moved us to a willingness for a very extraordinary Compliance with their Desires, providing we might be assured of an Engagemnt. But now when we have gone a greater length than even our Loyalty can allow us, we find that nothing is intended by them, but either a Conjunction with those that seek your Ruine, or at least a dull and stupid Suffering, and enduring of those destructive Resolutions to Religion and Government, which are now designed by the Enemies of God and Your Majesty.

After this there was a new Committee of 24 chosen by the Parliament for a Conference with the 12 Commissioners of the Kirk, who had many Meetings with them, and gave them satisfaction to all their Demands, so that all back-doors were shut, and they were ashamed that they had asked no more; wherefore being driven from all their Pretences they fled to the last starting-hole of Jealousie, and said that their Designs were contrary to their Professions. This was a tedious Affair, and cost many Conferences. In end great Offers were made to satisfy the Church-party, but nothing did prevail; whereupon the Committee drew up a large Declaration of all the Violations of the Covenant and Treaties made by the Two Houses, together with an account of their own Intentions, suitable to the Propositions made by the Ministers; only they stood much upon the sixth Article, that seemed most contrary to their Duty to their Sovereign, and it took them up many days; at length they yielded even to that: but for this the Reader is referred to the Declaration printed with the Acts of that Parliament.

On the 25<sup>th</sup> of April the great Business was carried, of putting the Kingdom into a posture of Defence; but the account of the Procedure of the Parliament in this matter shall be set down from some of the Earl of Lanerick's Letters, which the Writer chooseth rather to insert than any Discourse of his own. The first was written to a Friend at London, but to whom it appears not.

The Parliament vote an Engagemnt for the King.

I Had given you an account of the Condition of Affairs here long ere now, had I known how to have addressed my Letters; and however this be an uncertain way, yet because possibly it may come to your hands, first, I shall acknowledge the receipt of yours the of the last Moneth, which I have in part obeyed, and to that end have written to Ireland, to those I have interest in; and I am confident that our Army there, will follow our Advice in order to the Kings Service: but our Difficulties here are greater than you can imagine; for the same disloyal spirit that hath governed these years past, is yet so powerful as to obstruct, though I hope they shall not be able to destroy, our Designs of serving the King; and the same Instruments the Devil hath hitherto made

Some of Lanerick's Letters.

use

An. 1648. use of, are still the rigid Opposers of all dutiful Motions. Many amongst us pretend to Loyalty, but have such faint Hearts, and love their Fortunes so well, that they dare not act where there is danger: others have both Courage and Affection, but their Ambition will not allow them to act if they be not absolute; and they have no power of themselves, without a Conjunction with some of greater Eminence than themselves. Thus while we are tearing our selves in pieces through Factions and Self-interests, perit Saguntum, our King is forgot, and may God forget them that do so. But though the Chancellour hath made a foul Defection, and these that pretend Affection to the King are not so united as they ought to be; yet I despair not but that with Gods assistance, in despite of all opposition, we will force an Engagement or perish. I cannot descend to the Particulars, only this I will assure you, that all you have interest in are intirely right and resolute. Adieu.

The next of Lanerick's Letters that are in the Writers hands, was to His Majesty, dated the 13<sup>th</sup> of April, 1648.

Our last was of the fourth of this Moneth, to be conveyed to you by Doctor Frazer. In it did we shew you in general, what extraordinary Opposition we met with here in our Desires to serve You, but some of them we are now got over: for to morrow it will be resolved that the Kingdom shall be presently put in a Posture, and the whole Forces, or such parts of them as shall be appointed, are to be ordered to be ready to march when they shall be required; and while this is doing, we have voted the sending of three Demands to the Parliament of England, having found all the Articles of the Covenant, and divers of the Treaties, highly violated. The first is concerning Religion, wherein we are very high and full, knowing it will be refused, and we thereby obliged to resent it: besides, our Design is rather to fix the Denial thereof on them than on Your Majesty. The second is, that Your Majesty may come to some of Your Houses, in or near London, with Honour, Freedom, and Safety, where the Parliaments of both Kingdoms may make their Applications to Your Majesty for obtaining a well-grounded Peace. The third is, that the present Army under the Lord Fairfax be disbanded, to the end that all the faithful Members of both Houses may with Safety return to attend their Charges, the Parliament may Sit and Vote in Freedom, both Kingdoms, without their interposition, may make their Addresses to Your Majesty, and the Settlement of Religion, and a common Peace, be no longer hindered nor obstructed. These Demands are to be sent by a Messenger, who is to have a few days limited him for his Return. We are forced to move by these steps, which certainly will either speedily procure Your Majesties Freedom, or an Engagement. Our Opposition from the Ministers doth still continue; but many, formerly of their Party, are ashamed of their unwillingness to all Duties, and particularly Balmerino who is Lauderdale's Convert.

By the power of Perswasion our Army in Ireland hath offered their Service to us, which may be of excellent use many ways.

Thus, Sir, you have the true Condition of Affairs: but as we proceed (which I confess is in a most horrid dull pace) I shall still presume to give You an account of it as a part of our Duty.

Great Endeavours are used by some, that we may again send our Desires concerning Religion to Your Majesty; for their zeal will not allow them to hazard their Lives for Your Person, who will (as they say) no sooner be at Liberty, than you will destroy all that they have been doing (with the hazard and expence

expence of so much Blood and Treasure) for Religion. But this is as yet An. 1648. waved, and forced Concessions (such as certainly those must be while Your Majesty is in Prison) are alledged, can bring but small Security to Religion.

The next of the 18<sup>th</sup> of April was to a Friend at London.

I Had resolved upon eternal Silence, since I could not but be wrapped in the guilt of others for their disloyal Delays, nor should the receipt of yours of the 10<sup>th</sup> Instant have invited me to have broke that Resolution, had not this days Proceedings in Parliament revived my languishing Hopes. I shall not mention any thing of my last Dispatch upon Friday by Fisher; but this day we have past in Parliament the great Act of putting this Kingdom into a posture of Defence, under pretence whereof we mean to raise our Army: the Colonels and Committees of War in several Counties are to be named on Friday next. Besides this we have presented to the Parliament a large Declaration to be emitted to the Kingdom, containing the Breaches of Covenant and Treaties, the Demands which upon them we mean to make to the Houses, and our Resolutions in case of a Refusal. I confess it is clogged with many Impertinencies, to which we are necessitated for satisfying nice Consciences; yet it drives at a right end. Argyle and the Ministers are still incapable of Satisfaction, and with horrid violence oppose all Loyal Motions: and though the Chancellor hath intirely deserted us, and not only joyned with them, but endeavours by all means imaginable to divide us among our selves; yet we are both fixed to our Principles and Friendships, so that in despite both of Apostacy and Knavery we carry on the Work. I confess it is neither in so quick nor so prudent a way as is fit, and that we have already lost our greatest advantages; yet we can never move so late, but that we will make our selves considerable. We hear there are strong endeavours to separate His Majesty from our Interests: I confess we deserve no better from him, yet possibly he may find it not unfit to own us, even though we do not him as we ought. This I swear, I urge more out of my Duty to Him, than kindness to our selves.

The next was of the 24<sup>th</sup> of April. 1648.

Since my last to you I have received yours of the 18<sup>th</sup> and 22<sup>th</sup> of the last Moneth. We have made an indifferent good progress in our Parliament here, for we have stated all the Breaches of Covenant and Treaties: we have resolved upon some Demands to be sent to the Houses of Parliament, for Religion, for His Majesty, and for Disbanding of the present Army of Sec-taries; and we have pressed a Declaration, containing the Grounds of our Resolutions. In order to all these, we likewise Voted the present putting of this Kingdom into a posture of War, and this Week we are to nominate and make choice of all the Officers of our Army. The Church doth still violently oppose us, and threatens us with cross Declarations, if not the extremity of Church-Censures. Argyle and his Party maintain them in their Obstinacy, or rather they do him in his Disloyalty: but neither the fear of their Curses, nor want of their Prayers can fright us from our Duty, so soon as we are ready to act, which possibly may be sooner than you imagine.

The next was of the 28<sup>th</sup> of April to His Majesty.

My



An. 1648.

*M*T last to you was of the 13<sup>th</sup> of this Moneth by the Conveyance of Doctor Frazer. Since that time we have perfected what was then designed: for we have made choice of all the Officers of our Forces, wherein we have been forced to spend much time; and the next Week we intend to model our Army for England, which we hope shall be upon the Borders against the 21<sup>th</sup> of the next Moneth; which is the time limited for the Return of our Messenger from London, who this day parts from hence with the three Demands to the Houses of Parliament, wherof my last made mention, and with a positive Command to stay only 15 days for his Answer. We intend likewise in the beginning of the next Week to dispatch Sir William Fleming to the Queen and Prince, to give them an account of our Proceedings, and to know his Highness's Resolution concerning his coming hither; and to desire the present sending of Arms and Ammunition to us, whereof we are absolutely unprovided; so that if the Queen or Prince of Orange (to whom we beg Your Majesty would write) do not supply us, it will infinitely retard the Service. We have passed a Declaration, which is full of many rude Restrictions both in order to Your Majesty, and Your faithful Servants.

But we are forced to them for the satisfaction of the Nice Consciences of the Clergy, and their Proselytes, whom we find still so inflexible, that nothing can persuade them to a Conjunction with us in the Work; on the contrary we meet with all imaginable Opposition from them: yet as we have carried the Declaration and all that is yet done, against their strongest Endeavours; so we hope, in despite of them, to be Instruments in accomplishing the chief end it drives at, which is Your Majesties Rest and Restauration. Our next will certainly bring you the Knowledge of some Acting in order to that which we dare not hazard to this Cypher, lest there may be more Copies of it than what we have with Your Majesty.

Jealousies of  
the Scottish  
Proceedings.

The slowness of their Motions in Scotland begun to give great Jealousies of their Proceedings every-where.

At *Paris* the Prince was much courted to go to *Ireland*, but he resolved rather to go to *Scotland*, and designed to go first to *Holland*. Yet there were some about him, who studied to give him ill Impressions of all that passed in *Scotland*, grounding them on the old Calumnies that had been cast on the Duke, and on the slowness of their Procedure at that time in *Scotland*, together with the extraordinary Cajolery they gave the Church-party: all which were made use of for alienating his Highness from that Resolution. But he resolved to obey the Kings Commands, and sent them new Assurances of that by Sir William Fleming; and to oblige the Duke the more, a Book being dedicated to his Highness, containing some passages much to the Dukes dishonour, he refused to accept of it, and ordered it to be called in.

While things were thus preparing in *Scotland*, His Majesty in the Isle of *Wight* was contriving an Escape, being resolved if it succeeded to have come to *Scotland*; but the means failed oftener than once, which being discovered made his Prison the straiter. He was also courted under hand with new Propositions from the Parliament of *England*, but refused to enter into any Treaty without the Concurrence of the Scottish Nation. Yet it troubled him much to hear no more of the progress of their Designs, on which all his Hopes were then set; for in that disorderly time, it was not easy to transmit frequent

quent and clear accounts of all that passed. At length having understood from *Scotland* what advance was made in that Affair, he was satisfied with the Fidelity of those he had employed there. An. 1648.

At *London* there went various Constructions on the *Scotish* Actions. The Commissioners of the Two Houses that were at *Edinburgh*, wrote up, that the Church-party would undoubtedly keep the Duke and his Party in play at least that Year, and that the zeal of the Ministers would make the Levies go slowly on; they either believing this themselves or at least designing that others should do so. At this time there was a great Inclination all over *England* to shake off the Armies Arbitrary Yoke; Stirs were rising in every place. The Duke with his other Friends in *Scotland* dealt earnestly with their Correspondents in *England*, to get all kept quiet till they were ready to march, that so there might be an universal Rising at once, which would have undoubtedly divided the Army that was against them into so many Fractions, as might make way for their easier Overthrow. This Design was zealously promoted by many, who saw the great advantage it might produce; but many were too jealous of the *Scotish* Designs, and so did precipitate their own Ruin. Others apprehended from their Declarations, that the Bondage would be the same, only the Masters changed if they prevailed; and this made the Kings Party resolve rather to perish than receive any help from the *Scots* on these terms. Their slowness made others despair of their Sincerity, and the reports of the Power of the Church-party, made all suspect their Strength: so the untimely Rising in *England* was the Ruin of this Years Design, for they rose only to be destroyed, and to animate the Army with those many Victories they obtained over them. And as these Defeats did much discourage the *Scotish* Army, so it forced them to march into *England* before they were ready, and ere they had looked well to the Security of Affairs behind them. The first Rising was by *Poyer* in *Wales*, to whom *Langborn* came within a little, and Commanded most of the Country. Great Disorders in England.

At *Westminster*, as they understood the state of the *Scotish* Affairs better than the Rabble did, so they did more apprehend the Danger of it. And first, great pains were taken to reconcile the *Presbyterian* and *Independent* Parties, at least to unite them against the *Scots*; wherefore they Voted, that the Government should be by King, Lords, and Commons: yet the *Independents* opposed this, so that it was carried but by 45 Voices. They also appointed that the Propositions offered at *Newcastle* should be the Grounds of settling the Kingdom, and they Voted that it should be lawful, notwithstanding the *Vote of Non-Addresses*, to make new Applications to His Majesty. Their Design in this was visible, for they hoped the *Scots* could not pass from these Propositions, and they were assured the King would never consent to them, particularly to that of Religion, which was so dear to *Scotland*. But *Crommel* was not at all pleased with these Votes, and as little with the City: and if the Stirs over *England* had not given him other Employment, he would have made a Journey to *London* with his Army, for the Purging the House a-new.

They in *Scotland* were much straitned with want of Ammunition and Money, therefore they sent Sir *William Bellandin* to *Holland*, to see what could be had from the *Prince of Orange*: they like-

An. 1648. wife sent Sir William Fleeming to Paris, to the Queen and Prince, with the following Letters.

Letters to the  
Queen and  
Prince from  
the Duke and  
his Friends.

May it please Your Majesty,

**A**LL verbal Assurances would justly appear too low and mean testimonies of our Fidelity, since Actions are now the only touch-stones of Loyalty; which we hope e're long shall be better, than what we can in this Common way speak of our real Affections to His Majesties Service.

We have presumed from the Encouragements we have received from Your Majesty, to hope the Prince his Highness will countenance our Endeavours for his Father's Rescue with his presence amongst us, which would certainly give an extraordinary vigour and life to all our Motions. For that end, we have instructed this worthy Bearer with our humble desires therein to Your Majesty, and to his Highness, and with such other Particulars as are necessary for enabling us to carry on the Work; to whom we beg Your Majesty would be pleased to give Trust, and further to believe that nothing was ever more absolutely fixed than are our Resolutions, either to perish, or eminently to shew our selves

May 1<sup>st</sup>. 1648.

Your Majesties most humble,  
most faithful, and most obedient  
Subjects and Servants,

Hamilton, | Crawford, | Roxburgh,  
Lauderdale, | Lanerick, | Calender.

May it please Your Highness,

**T**He deep sense we have of His Majesties sad Condition, invites us to these Actions of Duty and Loyalty, to which we are by so many Relations and Tyes bound and obliged; and having divers Encouragements from His Majesty, and from the Queen, to hope for your Highness's Presence amongst us, in countenancing our faithful Endeavours for His Majesties Rescue, we have presumed humbly to address our selves to your Highness, that from your Self we might know your own Inclinations, that accordingly such publick Assurances and Invitations may come from hence, as your Highness shall think fit to require; being confident that before we can receive your Highness's Directions herein, we shall be in some condition to evidence our Loyalties otherwise than by Words. So until we give a more real testimony thereof, we shall only beg to be esteemed of by your Highness as Persons that have vowed themselves to this Service, and who are faithfully

May 1<sup>st</sup>, 1648.

Your Highness's most humble,  
most faithful, and most  
obedient Servants,

Hamilton, | Crawford, | Roxburgh,  
Lauderdale, | Lanerick, | Calender.

Next they modelled the Army, which will better appear by the following Letters written to the King.

S I R,



An. 1648.

SIR,

**Y**ou now find the effects of what my last of the 28<sup>th</sup> of April promised: we are now engaged, and Sir Marmaduke Langdale's successful Attempt upon Berwick and Carlisle will be resolutely seconded by Your Majesty's Letters to His Servants here. To morrow Sir William Fleeming and Mr. Murray part for France; the last acknowledges the baseness of his new Friend Argyle. We hope the Prince will now countenance with his Presence our Endeavours for Your Majesties Rescue, since the Duke of York is escaped, for he will give an extraordinary life and vigour to all our Motions. The Kirk hath this day declared against our Declaration and Engagement; but all it hath procured is a Vote of thirty thousand Foot, and near six thousand Horse, which is this day remitted to the Consideration of the several Bodies, and I hope will pass the House to morrow.

2d May. 1648.

**S**ince my last we are far advanced in our Designs of serving Your Majesty; our new Army is modelled, which I hope will be more considerable than any Army that ever went out of Scotland; the Old General hath laid down his Charge, and the Duke of Hamilton is to Command in chief, who joys to meet with so happy an occasion to vindicate his Loyalty. He will be found active in his Trust, and seconded by the most gallant and eminent persons of the Kingdom; his Election was carried very unanimously in Parliament, Argyle and only six with him dissenting. Calender with the same Unanimity, and the same Opposition, is chosen Lieutenant-General, and David Lesley Lieutenant-General of the Horse; but he hath not as yet accepted of his Charge. Middleton is appointed Major-General of the Horse, who is most eminent for his Loyalty and forward in this Service. Our Armie will be on foot about the end of the Moneth, and that the Raising of men may the more actively be gone about, we have adjourned the Parliament till the first of June. We have sent Commissioners with Instructions and Money, to invite our Army in Ireland to come and joyn with us in this Service. Our Opposition from Argyle and the Ministers is still as great as they can make: we are undone for want of Arms, and a little Money; if we be not supplied from France or Holland, this glorious and most hopeful Undertaking that ever this Nation had, may be in hazard to miscarry. Sir William Fleeming and Mr. Murray went ten days ago for France, and this day we have dispatched Sir William Bellandine to Holland. We are much dejected because we have not heard from Your Majesty since the 17<sup>th</sup> of March, which makes us fear You involve us in the Guilt of the by-past deadness, and slowness of their Motions here: but we take God to witness, we are as free thereof, as we shall be faithful to the Vows we have made of perishing, or of serving Your Majesty in such a loyal and dutiful way, as hath been professed by

17<sup>th</sup> May.

Your Majesties, &amp;c.

The Differences that were among the Lords were adjusted, and most of the Officers were also well named; yet the Levies went on dully, though many of the Lords were so cordial, that they who had

The Levies are much retarded by the Ministers.

Y y 2

allowance,

*An.* 1648. allowance from the Publick but for 80 Horse, raised Regiments of five or six Troopson their own expences. And though it is not to be imagined, that the publick Expence of so great a Design was not likewise great, yet there was a sad want of Money; which the Duke and his Brother did all they could to supply, as far as their Credit could go, and raised above two and twenty thousand pounds sterling for prosecuting of the Engagement; and were on all publick occasions so liberal of their own Money, as if some Bank had been put into their hands.

The Curses the Ministers thundred against all who joyned in this Engagement, made the Souldiers very heartless, being threatened with no less than Damnation. This obliged the Lords to use Force in some places, for carrying on their Levies: and indeed the Ministers counter-acting the State was such, that it is hard to judge, whether their Boldness or the Parliaments Patience was most to be wondred at. The Lords resolved to chastise them to purpose in due time, but judged the present time improper for it; and to carry on the Levies the better, the Parliament adjourned for three weeks. So the Lords went to the several places of their Interests, leaving a Committee behind them at *Edinburgh*; but before their Adjournment they wrote the following Letter to the Presbyteries.

The Parliaments Letter to the Presbyteries.

**T**He many Scandals that are thrown on our Actions by the favourers of Sectaries, and haters of the Person of our King and Monarchical Government, invite us to this extraordinary Address to you, conjuring you as you will answer the Great God, whose Servants you are, not to suffer your selves to be possess'd with unjust and undeserved Prejudices against us, and our Proceedings, who have (since our late Meeting in Parliament) preferred no earthly thing to Religion, and the promoting all the ends of our Covenant, and have constantly used all real Endeavours to have carried on these Duties, to the satisfaction of the most tender Consciences; and especially by our great Compliance with the many Desires from the Commissioners of the General Assembly, we have proceeded to greater discoveries of our Resolutions in the ways and means of managing of this present Service, than possibly in prudence we ought to have done, having so near and active Enemies to oppose us: neither can it with any Truth or Justice in any sort be alledged, that we have in the least measure wronged or violated the least Priviledges and Liberties of the Church, or taken upon us the determination or decision of any matters of Faith or Church-discipline, though we be unjustly charged with making an Antecedent Judgment in matters of Religion, under pretence whereof great Encroachments are made on our unquestioned Rights; for what can be more Civil than to determine what Civil Duties we ought to pay to our King, or what Civil Power he ought to be possess'd of? and if we meet with obstructions and opposition in carrying on these Duties, are not we the only Judges thereof? is there any other Authority in this Kingdom but that of King and Parliament, and what flows from them, that can pretend any Authoritative Power, in the choice of the Instruments and Managers of our Publick Resolutions? is it a Subject for the Dispute of Church-Judicatories, whether His Majesty have a Negative Voice or not? These things certainly cannot be pretended to by any Kirk-man, without a great Usurpation over the Civil Magistrate, whereof we are confident the Church of Scotland, or any Judicatory thereof, will never be guilty, nor fall  
into

into the Episcopal disease of meddling in Civil Affairs; and if any have *An. 1648.* already in these Particulars exceeded their bounds, we expect the ensuing General Assembly will censure it accordingly, and prevent the vilifying and contemning the Authority of Parliament by any of their Ministers, (either in or out of their Pulpits) who shall offer to stir up the Subjects of this Kingdom to disobey, or deny to give Civil Obedience to their Laws, it being expressly prohibited by the 2 and 5 Acts of King James the sixth, his eighth Parliament Anno 1584. That none of His Majesties Subjects under pain of Treason impugne the Authority of Parliament. And therefore, seeing the Cause is the same for which this Kingdom hath done and suffered so much, and that we are resolved to proceed for the Preservation and Defence of Religion before all worldly Interest whatsoever, and to carry on sincerely, really, and constantly, the Covenant and all the Ends of it, as you will find by our Declaration herewith sent to you, we do confidently expect that as the Ministers of this Kingdom, have hitherto been most active and exemplary in furthering the former Expeditions: so now you will continue in the same Zeal to stir up the People, by your Preaching and Prayers, and all other ways in your Calling, to a chearful Obedience to our Orders, and Engaging in the business; that you will not give so great advantage to the Enemies of Presbyterial Government, and bring so great a Scandal on this Church, as to oppose the Authority of Parliament, or obstruct their Proceedings in their necessary Duties, for the good of Religion, Honour and Happiness of the King and his Royal Posterity, and the true Peace of His Dominions.

Edinburgh,  
May 11, 1648.

Signed by Order of Parliament.

Alex. Gibsone Clerk Regist.

The Parliament having resolved to raise an Army for the Kings Relief, found it expedient for encreasing the number and strength of their Forces, to send to Ireland for a part of their *Scotish* Army there; (which, as was told *An. 1642*, had been sent from Scotland thither by Commission from the King under the Great Seal, and upon a Treaty, and Establishment betwixt the two Nations for suppressing the *Irish* Rebellion) and for perswading them to desert, for so Noble an Undertaking, their Interest in Ireland which was very considerable, (for there was above seven hundred, and seventy thousand pound sterling of Arrear resting to them, upon a stated Accompt fitted by Persons intrusted by the Parliament of England, and Commissioners from them, preceding the 16<sup>th</sup> of June, 1647 besides a year more until June 1648 not at all reckoned) they sent over three of their number, two Knights, Sir James Macdonald, and Sir William Cocheran, (now Earl of Dundonald) and Mr. Crawford Burgefs of Linlithgow, with Letters and Instructions to that purpose. They were kindly received by such of the Officers as had chief Power there; but most unwelcome to a contrary Party, who had notice how averse the Kirk, to which they were addicted, had declared themselves from the Designs of that Parliament; nevertheless it was quickly agreed to, that about twelve hundred Horse, and two thousand and one hundred Foot, should be provided and regimented, and transported to Scotland, to be conducted by Sir George Monro, in the quality of a Major-General, and to be joyned with the Dukes Armie.

The Parliament sends for the *Scotish* Army in Ireland.

At



An. 1648.  
Great Disorders in Eng-  
land.

At *Westminster* they were in great Confusion, fearing that the General inclinations over *England* should prove too hard for them: but Mr. *Marshall*, who was sent back from the *English* Commissioners in *Scotland*, comforted them the best he could, giving them all assurance that the Designs there would meet with vigorous Opposition: wherefore it was moved that some of the Forces might be presently sent down, before the Army were drawn together, who might hope for good Assistance in *Scotland*. But he also told them, that nothing would be so likely to divide them in *Scotland*, as to declare for the Covenant, and the Propositions sent to *Newcastle*: and indeed this was much dreaded by the Duke and his Friends, since there was nothing so popular in *Scotland*, as that the Parliament and Army of *England* had fallen from the Covenant; but they resolved, though that were granted, to accept of no Treaty till the Army were presently disbanded, for which the former Years Transactions did furnish them with very good reasons. Mr. *Marshall* did what he could to reconcile the Presbyterians and Independents in *London*; and that they might not fall out about Religion, it was Voted, that the Kingdom should be first settled before Religion was fallen upon. The City of *London* was generally well-affected to the *Scotish* Design, though some studied to alienate them from it, by telling them that those in *Scotland* were in Correspondence with the Cavaliers in *England*. The City was inconstant, and the Citizens feared the Armies falling on them to plunder them, so that they were easily over-awed; and at that time the Agitators of the Army were upon the Fining of the City in a Million of *English* Mony.

A general Answer was returned to the *Scotish* Demands by the day they had prefixed, with the Promise of a more particular one to follow shortly; which was looked on as a Design to shift them off by Delays. At this time the Two Houses were much lifted up with a Defeat given to *Langhorn* in *Wales*, which was represented to be greater than indeed it was. But to allay their Joy, there came in Petitions from many Counties of *England* for a Personal Treaty with the King, and for being disburdened of the Army: one came from *Essex*, which was subscribed by twenty four thousand Hands; and eight thousand men came out of *Surrey* with their Petition, upon whom the Soldiers fell barbarously, and killed about Twenty of them, wounding above an Hundred. Next the *Kentish* men rose in a formidable number; but it was more terrible that the Navy was staggering, and many of the Captains of the Ships declared against their Proceedings. This was sad News for *London*, by reason of their Trade, which was like to be blockt up. And now *Cromwel*, to please the City of *London*, drew the Forces out of it, and left the *Militia* of *London* in their own Hands; only he got *Skippon*, who was of their own Cabal, made Major-General of their Trained Bands: and there was no small Disorder in the Army, the Agitators being for the most part Levellers, and against *Cromwel*, as was by some supposed.

With all this Tragical visage of things they at *Westminster* were not a little mortified, so they appointed a Day of Humiliation; and when they were naming the reasons for the Fast, one of the Members had a singular opinion, that notwithstanding the Self-denying Ordinance they had past, yet they had ingrossed all Places of Power and Profit to them-

A Fast at  
*Westminster*.

themselves, by which Juggling God was mocked; wherefore he moved that they might devote themselves of these: but the rest were not of his mind. And if three Sermons and a great many long Prayers would reconcile God to them, they would be at the cost; but were resolved to quit none of their Power nor Places. All these Tumults in *England*, as they had hindered the Two Houses from sending down their Forces to *Scotland*; so they called aloud for hasty Relief from the *Scotish* Army, which from all places was called for. But the Opposition the Clergy and their Party made, had so fore-flowed their Levies, that they could not overtake this fair opportunity; but were forced to leave the poor People in *England* to be knockt down by the insulting Army.

The Parliament of *Scotland* re-assembled in *June*, and after few days Sitting, and the emitting of new Declarations both for *Scotland* and *England*, but of a milder strain than their former of *April* had been, (being now weary of their hopeless courting of the Clergy) they adjourned for Two Years, having chosen a Committee of Estates sure to their Designs; and they were drawing their Army together with all possible diligence.

But the great matter now debated in *Scotland* was, whether they should first make all sure at home, or leave things in that disordered posture, and make haste into *England*. *Lanerick* was for taking order with the Opposite Party, and the Lords that headed them, before they stirred out of *Scotland*, lest otherwise as soon as they were gone, the Ministers might blow up the People into Sedition, which would either force them to send back a part of their Army for curbing them, or lose *Scotland* totally by their Tumults, while their Army should be struggling with an uncertainty in *England*. Besides, they were neither well-furnished with Arms, Ammunition, nor Money, but had good Assurances of large Supplies from the Queen and Prince, by Sir *William Fleeming*; and the Prince (though much dissuaded by these who were both Enemies to the *Scotish* Nation in General, and the Duke in particular) continued still firm to his first Resolutions of going to them, when all things were brought to that Posture, that it were fit for him to hazard himself amongst them: and therefore in the middle of *June*, Sir *William Fleeming* was dispatched again from his Highness to *Scotland* with the following Letter, directed,

For the Lord Duke *Hamilton*, and the Earls of *Lindsay*, *Roxburgh*, *Lauderdale*, *Lanerick*, and *Calender*.

My Lords,

**Y**OU will receive by Sir *William Fleeming*, who is amply instructed, the full account of My Intentions; and he is not more particularly charged with any thing, than to let you know the sense I have of Your Affections: yet I thought fit to reserve unto My Self the assuring you, that as I conceive I am not capable of being more obliged than I have been by you; so I shall be  
most

An. 1648. most exactly just in the discharge of my Acknowledgments, when it shall please God to make My Condition fit for it. In the mean time I have nothing to say, but to desire you to be intirely confident of it, and that I am most truly,

My Lords,

Your Affectionate Friend,

CHARLES P.

Sir William Bellandin met with more Opposition in Holland, for Judgments were passed on the *Scotish* Proceedings from their Declarations; and all he could say was not able to take off those Impressions, so that no good was expected from Scotland. The States of Holland had no great inclination to the Kings Party, and the Prince of Orange was at that time much influenced by the Dukes Enemies; yet Bellandin got many promises made him of a large supply of Mony and Ammunition.

but much  
pressed by  
others.

Upon these Expectations the Earl of Lanerick was against a speedy March into England; but this was opposed by the Earl of Lauderdale, who pressed a present Dispatch. They were called upon so earnestly from their Friends in England, that to linger still was to lose the Kings Party there: for now the *Kentish* men were broken, and some of them had passed over unto *Essex*, where many rose with them, and carried Colchester, and made a good Body both of Horse and Foot, but were not able to hold out long against the Army; yet they gave them divers foils. But that of the greatest Importance was, that most of the Navy had declared for the King, and desired a Correspondence with Scotland, and Willoughby, who was made Vice-Admiral by the Prince, was a great Friend to the *Scotish* Nation. The Earl of Inchequin also, with his Army in Ireland, had declared against the Parliament, and sent to Scotland a very kind Message for a good Understanding with that Parliament: and finally, a part of the *English* Army, being much solicited by the Church-party in Scotland, who complained that they were now exposed by them to Ruin, was coming North-ward, under the Command of Lambert; and Langdale had written to them, that he could not be able to stand long before Lambert if he were not speedily relieved, and that Carlisle also would be in great hazard: neither was the hazard only the loss of Carlisle, of which they made less account; but the Army which was with Langdale, whose Wives and Children were in Carlisle, did threaten to leave him and Capitulate if that Place were not preserved. Besides all this, they at Westminster, to temper the general Hatred against them, had called back the Secluded Members of both Houses, and were Levying new Forces, and had Voted a Personal Treaty with the King; at which time also one Osburn avouched, that there were Designs against the Kings Person, and that himself had been solicited to assist in the poisoning him. All these Considerations were pressing, and could admit of no delays; wherefore Lauderdale insisted for a present March, and that the Dukes Carriage



riage might shew it was the Kings Service, and not a Faction, he was *Ar. 1648.* designing, nor Resentments against these who withstood him in *Scotland*: for so did *Landerdale* mistake *Lanerick's* advice for curbing of the Church-party, and punishing their Leaders.

The Duke saw great reason on both sides, and though his own Judgment went along with his Brothers Advice, knowing well it was easie for him to have forced all *Scotland* very soon into a Compliance with their Design; (which being once done, he could have marched into *England* upon greater advantages, and with a far better Army) yet he was content to be over-ruled, believing that if they were prosperous in *England*, upon which depended all their hopes, it would be no great Work to Master any Opposition might be made in *Scotland*. And thus did the unripened forwardness of those in *England* force the Duke on a fatal Precipitation of Counsels. The resolution was taken, and a General Rendezvous appointed to be at *Annan*, near the Borders of *England*, on the 4<sup>th</sup> of July. and is resolved on.

All this while my Lord *Lanerick* had not forgotten the Kings Commands about the Marquis of *Huntley*, but the ill Opinion the Church-men had of them, was such, that to have proceeded roundly in that matter, would have given greater grounds of Jealousie to that Party: therefore the *Junto* sent him word to the Castle of *Edinburgh*, where he was then Prisoner, that though at that time it was not fit to set him at liberty by an Order; yet they were willing he should make his Escape, and they offered their Assistance for conveying him safe away. But he said he was brought thither by Order, and he would not steal out as a Thief: and from this fatal stiffness they could not get him removed; yet they resolved to liberate him openly when they should be better able to avow their Actions.

The Opposition the Church-men made to the Raising of the Army, *An Insurrecti-* did still retard the Levies and discourage the Souldiers, though the *on at Man-* Officers were generally resolute. Some Forces were sent West-ward, *chlin.* under the Command of Sir *James Turner*, to keep that Country quiet, who found a little Authority vigorously managed did quickly tame some of the most unruly. But at *Mauchlin* there was a great Gathering under the Colour of an Assembly to a Solemn Communion, and many went thither Armed, pretending hazard from the danger of that time. *Turner* got notice that an Insurrection was designed there, and advertised the Duke of it, who ordered *Turner* not to stir till the Earls of *Calander* and *Middleton* should come to assist him; who came to *Pafely* on the *Saturday* before that Communion, they drew out the Forces that lay there, consisting of two Regiments of Foot, and fourteen Troops of Horse, and marched to *Stewarton*, where the Earl of *Glencairn* and others of the Nobility met them. Some advised a March of the whole Forces, others thought a few Troops were sufficient for dispersing that Multitude; whereupon *Middleton* was commanded out with six Troops, who found them near two thousand strong, Horse and Foot; but being ill-commanded, they were soon disordered. *Middleton* and *Hurry* gave the Charge, and were briskly encountered; so that they were made to retreat with the loss of some men, and both *Middleton* and *Hurry* got slight Wounds: but the Party that had given them this rude Shock, having cleared a way for themselves, made their Retreat. The report of this Disorder was brought hot to *Calander*, who leaving the

An. 1648. Foot at *Kilmarnock*, went with the eight Troops he had with him to assist *Middleton*; but upon his appearing all run away. The Horse were not pursued, sixty Foot Souldiers were taken, and five Officers, and some Ministers, who were all dismissed: only the Officers were condemned to dye by a Council of War, but were afterwards pardoned by *Calander*.

Some Forces  
were sent to-  
wards the  
Borders.

The Army en-  
ters England.

The chief  
Officers of the  
Army.

*Calander's*  
Character.

After this, before a General Rendezvous was possible, the Duke for animating those of *Carlisle* who began to be fore put to it, sent Collonel *Lockhart* with some Regiments of Horse to lye at *Annan*, and Collonel *Turner* with five or six Regiments of Foot to lye at *Dumfrice*, hoping thereby to hinder *Lambert* from coming near *Carlisle*, wherein his expectation did not fail him; for no sooner came *Lockhart* to *Annan*, but *Lambert* drew his Troops nearer, and Sir *Marmaduke Langdale* got air a while, for Provision both for his Men and Horses, and against the day appointed the General came from *Edinburgh* to *Annan* with *Calander*, *Middleton*, and *Baylie*, and several Regiments of Horse and Foot. *Turner* also came to him from *Dumfrice* with the Regiments that lay there, and some Ammunition, and abundance of Meal, that had been sent from *Edinburgh*: but before I go further, a little must be premised of the state of the Army, and of those who commanded it.

The Duke was General, of whom I find an old experienced Souldier, who served under him, passing this judgment, *His Conduct of Forces was as good as that of any under his Command, without exception; but it was his Fate (I dare not say his Fault) in Military matters, as was his Masters in Political Affairs, not to trust to his own Judgment, but to the Judgments of others, though inferiour, (as all the World knew) to their own: and to this Character all with whom the Writer ever spake, who served in that Army, did agree.*

The Lieutenant-General was the Earl of *Calander*, who was bred from his youth a Souldier in the Wars of *Germany*, and the *Low-Countries*, where he long commanded a Regiment of *Scotish* Foot, and had gained (deservedly) the reputation of a man of great Courage; and understood well the *Dutch* Discipline of War, which he observed with a strictness that seemed not free of Affectation. The promptness of his Deportment, and the Authority he usually took on him, being judged far beyond his skill in the Conduct of an Army, he was made Lieutenant-General of the *Scotish* Army, that went against the King under General *Lesley*, Anno 1640: and joyned with *Montrose* and the other Noblemen and Gentlemen, who signed the Bond mentioned in the account of that Year: and from that time he continued for some Years in a great Friendship with *Montrose*, which as it did alienate the Church-party from him, so it set him at a distance from the Duke, of whom he was ready both to receive and give ill Impressions. Yet he having made great and constant Professions of Loyalty, and having got himself to make a considerable figure among some Noblemen who were called the Kings Party, a Conjunction with him being also earnestly recommended by the Queen in her Letters to the Duke, he and some of his Friends (though many condemned the choice) were easily induced to such an opinion of the Reality of *Calander's* Loyalty, and Military Conduct and Courage, as to accept of him for Lieutenant-General of the Army, though the Duke had no reason to have any confidence in his Friendship. But as he left nothing

nothing undone to overcome all Obstacles that lay in the way of this loyal Expedition, so he complied with divers things that were uneasy to him, whereof this was none of the least; because he would leave no ground for Calumny it self to charge him with Slackness in attempting to do this signal Service to God, the King, and his Country. The Lieutenant-General was quickly observed to design a Faction in the Army for himself, and to oppose all that the General suggested; which he did so peremptorily, that he usually pressed all his own Propositions with such warm Language, as that the Kings Service was ruined, if other Courses were followed: and this never failed to overrule the Duke, and in effect he gave away almost his whole Power to him.

But if he expected little Friendship from *Calander*, he had as much confidence in *Middleton*, Lieutenant-General of the Horse, who was a Person of great Courage and Honour; and none had been more gallantly active in carrying on this Expedition than he was; for which and other Great Services he was by His Majesty that now reigns, created Earl of *Middleton*: nor had he less assurance of *Baylie* Lieutenant-General of the Foot, who had given many signal demonstrations of Valour and Conduct. The Inferiour Officers stood all divided according as their Affections led them, either to the General or Lieutenant-General: and thus was the Army modelled.

The Regiments were not full, many of them scarce exceeded half their number, and not the fifth man could handle Pike or Musket. The Horse were the best mounted that ever *Scotland* set out, yet most of the Troopers were raw and undisciplined. They had no Artillery, not so much as one Field-piece, very little Ammunition, and very few Horse to carry it; for want of which the Duke stayed often in the Reer of the whole Army, till the Country-men brought in Horses, and then conveyed it with his own Guard of Horse. Thus the precipitating of Affairs in *England*, forced them on a March before they were in any posture for it: but now they were engaged, and they must go forward, an account whereof follows, but not drawn, as the former Parts of this Work have been, from the Dukes Papers, and little Notes he used to take on all occasions: for if any of these were taken by him in this Expedition, they were either destroyed by himself, or fell into the Enemies hands when he was made Prisoner; so that the Writer was forced to seek help from others for supplying this Defect, and procured divers Relations from very worthy Gentlemen, who were Eye-Witnesses or Actors in the whole Affair, upon whose Informations he must rest, and therefore offers them as follows.

“ U Pon the Armies march to *Carlisle*, *Lambert* drew back and we advanced to *Crofton-Hall*, where we lay about eight or ten days; from thence we went towards *Penrith*: but the Duke sent out a Party of some three hundred Horse, who discovered the Enemies Main-Guard of Horse, and gave the General notice of it; who thereupon commanded the whole Cavalry to march, purposing to fall upon the Enemy that very night; and he sent orders to *Baylie* to hasten the advance of the Infantry. A full discovery being made of the Enemy, our Cavalry was drawn up in their view, where expecting the advance of

The account  
of the March  
of the Army.



An. 1648. "the Foot, we stood in Arms till night; but about midnight the Enemy drew off quietly. Next morning betimes a great rain falling, we advanced to a Bridge a mile beyond *Penreith*, with design to engage the Enemy; but missing our hopes, were forced for our accommodation in Quarters to return to *Penreith*. Next day my Lord *Levingston* commanding a Party of Horse, discovered the Enemies Main-Guard, within a mile of *Appleby-Castle* in *Westmoreland*, consisting of about three hundred Horse, of which having sent advertisement to the General, he ordered the Army to march immediately towards the Enemy; and *Middleton* commanded the Captain of the Generals Troop to charge, who beat back the Enemies Horse into the Town of *Appleby*. That evening our whole Cavalry made a stand for several hours, expecting the advance of *Langdale*, who being marched up, did presently with his Foot engage with the Enemy in the Town till it was dark. Our Infantry Quarters that night on the Moor, near *Appleby*; but before the next morning the Enemy marched away both Horse and Foot, leaving only a Garrison in *Appleby-Castle*; and did cut the Bridge, so that it was impossible to follow, for the rains had fallen in such abundance that the Waters were not to be forded: whereupon we went to *Kirby-thure* in *Cumberland*, where we lay three Weeks, expecting the rest of our Forces, who came up to us, yet far short of the Numbers appointed by the Parliament, of which there was wanting more than a third part; so that in all we were about Ten thousand Foot, and Four thousand Horse. This is the true account of the Strength of our Army. *Turner*, who being our General-Adjutant did often muster the Infantry, avers on his Honour they were no more; and both *Middleton* and *Lockhart* did also assert there were not above Four thousand Horse; so far short was our Number of what was appointed by the Parliament, and generally given out to be the Strength of our Army.

"We also waited for the *Irish* Forces, which *Monro* had brought over. In the mean while *Langdale* besieged *Appleby*, and lest *Lambert* had faced about, *Turner* was ordered to lie near him with two Brigades of Foot till the Castle capitulated, which it did in a very few days.

Here I shall add a Letter of Sir *Marmaduke Langdale's* to the Earl of *Lanerick*, written from this Place.

*Langdale's*  
Letter.

My most honoured Lord,  
 Give me leave to give your Lordship many hearty and humble Thanks for your Favours, and to beg so much trouble to you, as to give your Brother Thanks for me, who is as careful of me, and all those under my Command, as if they were his own, furnishing us with Arms and Ammunition, and upon all occasions with his own Forces to assist us. All I can render to so great a Person, considering my Condition, is to be thankful; and I hope neither my self, nor none that joyn with me, will ever be so ungrateful or ungracious, as to forget his particular Favours, besides the general good to the whole Nation; wherein what we have, or are like to enjoy, is by his Endeavours,

wours, with the hazard of his own Person and Friends, and all they can An. 1648.  
call dear unto them. These are Benefits can never be forgotten by Gentlemen,  
whereof one with many more is,

Appleby, 1<sup>st</sup> August  
1648.

Your Lordships most humble  
devoted Servant,

MAR. LANGDALE.

" We next marched to *Kendal*, and from that to *Hornby*, where it  
" was hotly debated, whether we should march to *Yorkshire* or *Lan-*  
" *cashire*. The General and *Baylie*, and *Turner*, were for *Yorkshire*, but  
" *Lancashire* was resolved on, which many blamed, that County being  
" so disaffected, that little good Intelligence was to be hoped for there;  
" whereas *Yorkshire* was well-affected: but *Calander* and *Langdale* pre-  
" sed it earnestly, alledging it would ease our Friends, and weaken our  
" Enemies.

" By this time the *Irish* Forces had come over, consisting of the num-  
" ber above-mentioned, all well-trained, and experienced Souldiers. The Irish For-  
ces come o-  
ver.  
" They met with some danger and difficulty in their Transportation,  
" for the Parliament of *England* ( apparently fearing by their utter ne-  
" glect of that Army, that some such Course would be taken by them,)  
" sent two Men of War to guard the Passage betwixt *Scotland* and  
" *Ireland*, who intercepted about Three hundred Foot of *Dalyel's* Re-  
" giment, whom they disarmed and kept two days, but for want of  
" Victuals were willing to dismiss them again. The rest made use of  
" small Vessels, and the Night-time, by which means and the narrow-  
" ness of the Sea, they arrived all safe (albeit divers were chased) up-  
" on the *Scotish* Shoar; and as they landed in parcels, they were or-  
" dered to march straight towards *Carlisle*. But as they went through the  
" Shire of *Galloway*, and Stuartry of *Kirkudbright*, they were unfav-  
" ourably used; for none of the Country-Gentlemen, excepting one  
" or two, did own them: so being left to themselves, without any  
" person to appoint orderly Quarters for them, and being railed at from  
" the Pulpits, and Curses denounced against them, and that whole En-  
" gagement cryed out to be unlawful, and the Ministers in every Pa-  
" rish discharging their Parishioners to have any meddling with, or ac-  
" cession thereto, it was no wonder if Abuses were committed, but no-  
" thing answerable to the great Clamours, purposely spread abroad  
" against them by those of that Country.

" It was at *Kendal* in *Westmoreland* where Sir *George Monro* had the  
" first Meeting and Conference with the Duke, who was upon his  
" March with the Army towards *Preston* in *Lancashire*. Sir *George* and  
" those with him followed upon his Reer to *Kirby-Lumsdale*, near the  
" Border of that Shire. The Duke had a great mind to have joyned  
" them to the Army, for they were resolute and well-trained, especi-  
" ally the Foot, and he was well assured both of Officers and Souldiers:  
" but *Monro* had no mind to take Orders, either from *Calander* or *Baylie*;  
" and this made *Calander* unwilling to bring them up. He also saw  
" that most of their Officers depended on the Duke, and so he had no  
" kindness for them: therefore though the Duke pressed much the bring-  
" ing them to the Army, yet *Monro* was sent back with Orders from the  
" Duke

An. 1648. " Duke in writing to stay at that Place, and wait for some Cannon coming  
 " out of Scotland, and to conduct them to the Army; but withall in case  
 " it should happen he were attack't by the Enemy, not to Engage, but  
 " to make his Retreat back to *Appleby-Castle* or *Carlisle*, and there  
 " to secure himself till further Order. As he stayed at that Village, Sir  
 " *Philip Musgrave*, and Sir *Thomas Tilsie*, the one Lieutenant-General,  
 " the other Major-General to Sir *Marmaduke Langdale*, with two Re-  
 " giments of Foot then raised in the Northern Counties, joyned him.

" Our March into *Lancashire* being concluded, the Van was led by  
 " *Langdale*, who undertook to provide Guides and Pioneers, and to  
 " get us Intelligence; but the want of this helped us to our Ruine,  
 " for he was well-nigh totally routed, before we knew that it was  
 " *Cromwell* vwho attack't us. And here the Cavalry complaining of scar-  
 " city of Forrage in these Parts, and the Officers pretending a necessity  
 " ty to enlarge Quarters, desired liberty to advance before the Infan-  
 " try, against which the General gave many Reasons: yet to prevent  
 " a Mutiny he yielded to it, not apprehending how near the Enemy  
 " was, of which we were secure, resting on *Langdale's* Intelligence;  
 " which was only, that one *Ashton* had raised two or three thousand  
 " Presbyterians together to stop our March, and amuse us, pretending  
 " it was because we came out of Scotland without the approbation of  
 " the Kirk. *Calander* and *Middleton* went on with the Cavalry to *Wig-*  
 " *gan*, some Regiments of Horse being only reserved for a Reer-guard  
 " to the Infantry, and we marched forward to *Preston*.

*Preston fight.*

" Upon the day after our Army was thus divided, being the 18<sup>th</sup> of  
 " *August*, *Calander* got some hint of *Cromwell's* joyning *Lambert*.  
 " Upon this *Calander* thought it fit to bring the Cavalry nearer the In-  
 " fantry, intending to go himself that night to the General; where-  
 " upon some Regiments of Horse were drawn into the Moor near *Wig-*  
 " *gan*, and commanded to stay there till further Orders, which late at  
 " night they got to return home to their Quarters: then *Calander* went  
 " to the General, and *Middleton* stay'd with the Horse, which was the  
 " Ruine of the Army; for all judged that *Calander* ought to have  
 " brought the Horse with him, since he had reason to apprehend the  
 " approach of so powerful an Enemy; yet when he came to the Ge-  
 " neral, he spoke nothing to him of the Advertisement he had got.

" Next day about Noon we all drew up in Battalia upon the Moor,  
 " but had not ground enough: from us the General went and passed the  
 " Bridge to view the Field for a convenient Leaguer, and before his re-  
 " turn, *Calander* ordered *Baylie* to pass the Bridge with the Foot, to the  
 " place where the Leaguer was to be. The General returning, and  
 " thinking to have found the Foot still in the Moor, met *Baylie* on the  
 " Bridge, who told him he had received Orders from *Calander* to draw  
 " over the whole Body of Foot; but hearing that *Langdale* was hotly  
 " engaged with the Enemy, he had halted there, till he saw what the  
 " event of the Action might be: which the General approved, and or-  
 " dered him to halt, wishing they had stayed still on the Moor. Mean-  
 " while *Calander* came up, and asked why they did not March: *Baylie*  
 " gave him the Answer he had given the General, with which *Calander*  
 " was unsatisfied, and went away in a chafe. The General seeing him  
 " in passion studied to allay it, telling him that *Baylie* had stop'd up-  
 " on his Order: *Calander* answered, his Grace might do what he pleased,  
 " but



"but he had given former Orders to march, which he conceived most  
 "fit to be done, pretending the necessity of having the Horse and  
 "Foot on one side of the River, to which the General gave way; and  
 "so *Baylie* marched over, and the Duke and *Calander* returned back  
 "to the Moor, where the Rere-guard of the Horse, together with  
 "two Brigades of Foot, stood all the while. By this time they got sure  
 "intelligence, from some Prisoners whom *Langdale* had taken, that the  
 "Enemy he engaged with was *Cromwel*; and the General ordered  
 "*Turner* to send out commanded Parties to *Langdale's* Relief, who sent  
 "about seven hundred Foot with a good quantity of Ammunition, of  
 "which the *English* stood much in need, and were sore put to it, *Cromwel*  
 "gaining hedge upon hedge of them. But *Langdale* being over-pow-  
 "ered by the growing numbers of the Enemy, sent to the General for  
 "a further Supply, who ordered *Calander* to send it: and he under-  
 "took to do it, yet did nothing. *Langdale* wondering at the delay,  
 "sent a second more pressing Message; and Sir *James Hamilton* shewing  
 "the General how necessary it was to send a speedy Supply, left  
 "*Langdale* being beaten back the Enemy should fall in betwixt  
 "the Rear-guard of the Horse, and the Foot, who could not be  
 "now brought back, the Duke ordered him to draw out an  
 "hundred Horse from the Regiments that stood there, and charge  
 "with them. But *Calander* coming up, as he was advancing, asked  
 "who commanded that Party, and finding it was Sir *James Ha-*  
 "*milton*, who had no Charge in the Army, but rode in the Gene-  
 "rals Troop a Volunteer, he ordered the Horse back to their Regi-  
 "ments, and went to the General, complaining that he gave Com-  
 "mand to those who had no Charge, and all this on pretence that the  
 "few Regiments which stood there were not to be weakened. But  
 "the General shewing him *Langdale's* extreme Danger, and the neces-  
 "sity of sending him Relief, *Calander* undertook with a Brigade of  
 "Foot to second him, though this could not be performed, the Foot  
 "being now so far from us: yet upon that colour he went along the  
 "Bridge, ordering his Waggon that lay in *Preston*, to be drawn over  
 "to the other side; which being done, he stayed on the other side.  
 "Mean while *Langdale* beat back the Enemy two or three Closes, still  
 "expecting Relief; but that failing, he was totally routed, and retired  
 "disorderly, and fell in betwixt our Infantry and the Moor, where  
 "the General stood with the Horse still expecting *Calander*: but now  
 "seeing a necessity of joyning himself to his Infantry, he got into the  
 "Town of *Preston* with his Guard of Horse, and *Langdale* and other  
 "Officers with him, with intention to pass the River below it, which at  
 "that time could not be ridden by reason of the Rains which fell con-  
 "tinually; for all this while there were such deluges of Rains not only  
 "over *England*, but over all *Europe*, that every Brook was a River,  
 "which made the March very heavy both to Horse and Foot: nor  
 "was it possible for the Foot to keep one Musquet fixed, most part of  
 "the time we were in a Body in *England*: but the Enemy pursued us  
 "fiercely into the Town; whereupon *Turner* endeavoured to rally  
 "some of the Musqueteers who had fled, and to line the hedges with  
 "them for keeping off the Horse. But the General perceiving they  
 "did small Service, did himself charge those who pursued him, being  
 "followed by all the Officers and his own Guard, and put two Troops  
 "of

An. 1648. "of the Enemy to a speedy Retreat, and then turned to get to the  
 "Ford : but as soon as we turned, the Enemy faced about and turned  
 "again on us, and the General charged the second time, and put  
 "them again to the flight ; but being pursued the third time, he charged  
 "the Enemy so home, that he set him a good way off, and they  
 "could not soon overtake us. In all which he shewed as much Daring  
 "resolution and Courage, as any man could be Master of.

"But *Langdale* and *Turner* perceiving the Enemies Foot advance,  
 "who would have lined the Hedges, and from them fired on us, pressed  
 "the General to think rather of retiring to his Army than staying in a  
 "Place where all he could do was to give proof of his Personal Valour:  
 "whereupon he yielding to their Advice, we took the Ford and  
 "swimmed over, and got safely to the Place where our Infantry lay,  
 "whom *Baylie* had very advantageously drawn up on the top of a rising  
 "Hill, among sensible Inclosures. The Regiments that stood on  
 "the Moor were put to the rout by the Enemy, and got off disorderly  
 "in Parties. *Calander* Congratulated the Generals safe Escape from so  
 "eminent a Danger ; who returned him thanks, but passionately regretted  
 "the bad fortune of that unhappy Day, whose sad effects he  
 "said he very much apprehended. Before his Arrival, *Calander* had  
 "sent six hundred Musqueteers to maintain the Bridge, which was done  
 "without consideration ; for they were to march through an open  
 "field of a quarter of a miles length, that lay betwixt the Hill we  
 "stood on and the Bridge, in which there was no shelter, and the Enemies  
 "side was all a Descent to the Bridge, that was full of Hedges,  
 "from which their Fire-men played unceasingly on our Musqueteers,  
 "who could do them no harm again. The General and *Baylie* observing  
 "this, did by *Calander's* advice, who saw his Error, send *Turner*  
 "with some Musqueteers to make their Retreat, and bring them off ;  
 "but he met them rather flying than retiring : nor did the Enemy pursue  
 "eagerly, but divers of our Men were killed, and now *Cromwell*  
 "was Master of the Bridge.

"This was the issue of that Day wherein our loss was great, many  
 "were killed, and many were taken Prisoners, and we lost more who  
 "run away ; two Brigades of Foot were totally routed, and either  
 "killed, taken, or dispersed ; nor did we ever hear any more of *Monro*,  
 "and the *Irish* Forces, nor of the Rear-guard of Horse that was on the  
 "Moor ; so that we begun to look on our selves as broken, being in a  
 "Country where we might look for nothing but Unfriendliness and  
 "Treachery. Upon this sad Juncture, the General called a Council of  
 "War of all the chief Officers in the Army : there was one of two  
 "things to be done, we were either to wait for the Cavalry, or to  
 "march to them. Divers Messages had been sent to *Middleton* to come  
 "up with the Horse, yet he appeared not. *Calander* pressed a Retreat,  
 "and to him agreed almost all the Officers, except *Baylie* and *Turner*,  
 "who urged their staying till *Middleton* came up, which might be expected  
 "in a few hours. The General expressed much indifferency in  
 "that Particular, and if they had stayed they could not have forced  
 "*Cromwell* to fight, who knowing their wants would have let them alone  
 "till Hunger had forced them away. So *Calander's* Authority prevailed  
 "for a March : the greatest Prejudice thereof was, that they  
 "could not carry their Ammunition with them, for the Countrey People,

"ple, whose Horses carried it, had fled away; so that there was a *ne-*  
 "necessity of leaving it behind them. To have fired it would have *dis-*  
 "discovered their March, and so done them Mischief; therefore it was  
 "appointed to be blown up by a Train; which being neglected by  
 "him to whom it was trusted, it fell into *Cromwel's* hands next day: all  
 "the Souldiers could carry with them was only their Flasks full. Our  
 "March was very sad, the way being exceeding deep; the Souldiers  
 "both wet, hungry, and weary; and all looked on their business as  
 "more than half ruined. The next morning we came to *Wiggan*, and  
 "found almost the half of our Foot had fallen off by the way, whom  
 "we saw no more. But our Misfortunes grew on us; for *Middleton* *Middleton's*  
 "upon the advice he got, had marched to the Bridge of *Preston* and *Gallantry.*  
 "ther way, where he found the Enemies quiet, our Fires burning, and  
 "none by them but some Sutlers; wherefore hearing we were gone to  
 "*Wiggan*, he followed our tract, and was hotly pursued all the way  
 "by the Enemies Horse, with whom he skirmished all along till he  
 "came within a Mile of us: and indeed he made that Retreat, which  
 "was seven Miles long, very gallantly, and was well seconded both by  
 "Coll. *Lockhart* and Coll. *Hurry*, the last getting a dangerous shot in  
 "his Head, which occasioned his being taken Prisoner. The Enemy  
 "lost several Men, and among others one Collonel *Thornly*, accounted  
 "one of their best Officers. We meeting with our Cavalry drew up in  
 "Battalia in the Moor, and some thought of Fighting; but we found it  
 "impossible, the Place not being large, and environed with Inclosures,  
 "which we could not have maintained long for want of Ammunition.  
 "So we were resolved to march all night, and designed for *Warring-*  
 "*ton*-Bridge, where we hoped we might either maintain the Bridge,  
 "or cut it, and so have gone whither they pleased; yet many of us  
 "apprehended we might be routed e're we got thither. Marching all  
 "night we got a false Alarm, which put us in no small Disorder; and  
 "*Turner* and *Lockhart* labouring to recover us, the one was wounded,  
 "and the other was trodden down, to the great danger of his Life:  
 "yet no Enemy came in the Rear, for they had taken up their Quar-  
 "ters for that night; but next morning they pursued us, yet we passed *Warrington's*  
 "*Warrington*-Bridge, the Enemy being close in our Rear. We main- *Bridge.*  
 "tained it some time against the Horse, but were driven away from it  
 "when the Foot came up. And here *Calander*, and most of the Offi-  
 "cers of the Cavalry, pressed the General to March off, and leave the  
 "Foot to Capitulate; their Reasons were strong, they had marched  
 "two nights, both under an extraordinary Rain, and in very deep  
 "way, and were wet almost up to the middle, and had scarce eat any  
 "meat all that while; they had no Ammunition, the Powder in their  
 "Flasks being all wet; so that to study to preserve them was to at-  
 "tempt an impossibility and to lose all. The Horses were also so wea-  
 "ry with their long ill March, that they were for no present Action;  
 "but they getting off; and turning either back to *Scotland*, or joining  
 "with those who were in Arms for the King in *England*, might still  
 "prove useful for His Majesties Service. Upon which the General was  
 "moved, though with great reluctancy, to leave the Foot and *Baylie*  
 "to Capitulate; and in an account of this Business drawn by *Baylie*,  
 "which the Writer has seen, he says, *Calander* ordered his Capitulating,  
 "and *Middleton* advised it; but says nothing of any Orders he had  
 "from



An. 1648. "from the Duke for it. Baylie upon this occasion lost some of the Patience he was usually Master of; but having recovered himself as much as he could, he sent Major *Fleeming* to *Cromwel* with Articles; who not agreeing to those, desired a Parly with Baylie himself: and they met on the Bridge, and agreed that the Infantry should lay down their Arms, and both Officers and Souldiers be Prisoners of War to the Parliament. Here *Cromwel* left *Lambert* with four Brigades of Horse to pursue our Cavalry, and himself marched after *Monro*. But I shall go through with the Tragedy of our Army before any further account be given of that March.

"Our Cavalry rode divers miles towards *Westchester*, with intention, as was supposed, to have gone to *Wales*; but putting on another Resolution, we stayed all night at *Malpas* in *Shropshire*. And here it was debated, whether we should go to *Yorkshire*, or to *Herefordshire*, where we had intelligence, that Sir *Henry Lingen* had put himself in a considerable posture for the King: but this being contradicted, that very night we resolved for *Yorkshire*, designing to try if we could clear a way for our selves to *Scotland*. But next day many of the County Trained-Bands appeared against us, who were soon dissipated by *Middleton* without any blood-shed, and that day we made a great March, and lodged all night in the Fields; next day we marched betimes, and at noon made a great halt at *Stone* in *Staffordshire*.

"After this as we were marching, *Middleton* rode in the Rear, for making it good against some Troops of the County-Militia; but unfortunately his Horse fell under him, and he was taken Prisoner. Thus the remnant of our unfortunate Army sustained an irreparable loss by the taking of that brave Man. The rest of that day we marched to *Utoxater*, and the weather being rainy, windy, and tempestuous, we came thither in great Disorder. On the next day we had not marched a mile, when both Horses and Men being extremely weary, many of the Officers and Troopers expressed an unwillingness to march further, neither were we well-resolved whether to go that night; and many surrounded the General in a Confusion next to a Mutiny, desiring he would return to *Utoxater*, from which he was very averse, and represented to them that it was better Capitulating with Sword in Hand in an open Field, than to be cooped up in a Town: but both he and *Calander* were forced by their importunity to return to *Utoxater*, purposing to spend the rest of that day and the next night there, for refreshing Men and Horses, and after that to continue their March. And here *Langdale*, and some of the *English* Officers that were with us, seeing all hopes were gone, and knowing their own Danger if taken with us, left us. A Trumpeter came to us from the Governour of *Stafford*, commanding the General to render himself, and these with him, to him and the County-Committee: and many such Letters came to him from impertinent Commanders of the County-Militia, at which he was nothing moved, and as low as he was he undervalued them. But now our Misfortunes must be compleated by our own Madnes, and the Mutiny of our Souldiers, among whom it was given out, that the General Officers intended an Escape from them, though they had often protested that they should never leave them, but live and dye with them.

The Horse  
came to Uto-  
xater.

A Mutiny.

“them. The Souldiers set double and treble Sentinels, both about the *An. 1648.*  
 “General’s, and Lieutenant-General’s Lodgings, and other chief Offi-  
 “cers; all which was done in the sight of the *Stafford-Trumpeter*.  
 “Next morning assoon as we could see, Collonel *Turner* by the Ge-  
 “neral’s Order called out at the Window to them, and asked if they  
 “were not ashamed of the ignominy of that Action, and of the base  
 “and unworthy Usage they had offered their General, and the Con-  
 “tempt they had shown to all Discipline. He advised them, if for no  
 “other reason, yet for their own Safety, to return to their Duty, re-  
 “move their Guards, go home to their Lodgings, and refresh them-  
 “selves; which they instantly did, cursing those who set them on to  
 “mutiny, but named none. *Calander* protested he would hear of no  
 “Treaty, but prepared to be gone, with all who would follow him,  
 “who were at least half our number. The General pressed his Stay,  
 “that a joynt-Course might be followed, at least that night, and that  
 “he would not divide the Forces; and the next day they should ei-  
 “ther March, Fight, or Treat, as should be agreed on in a Council of War,  
 “where he might freely deliver his mind. But all was in vain, for he  
 “marched away with as many as had good Horses to follow him,  
 “who quickly dispersed themselves; and *Calander* got secretly to *Lon-*  
 “*don*, and from that to *Holland*, so that his Escape proved more fortu-  
 “nate than any Officers (of the Army) was.

“Now we concluded it impossible to return in a Body to *Scotland*,  
 “and the County-Militia was every-where rising, our Horses were bea-  
 “ten, and our Troopers both heartless and disposed to mutiny; so  
 “that we all told the General, there was a necessity of Capitulating,  
 “for though we might possibly have cleared a way for our selves,  
 “through those who then surrounded us; yet in every part of *Eng-*  
 “*land* we would find a fresh Enemy before us, and it was impossible  
 “to cut out our way through all these Difficulties: to which, seeing it  
 “was unavoidable, the General yielded, and on the 25<sup>th</sup> of *August* sent  
 “three Collonels, *Lockhart*, *Foules*, and *Turner*, to Capitulate with the  
 “Governour of *Stafford*, who had environed us with about threethou-  
 “sand Men. They Treated in a House three Miles from *Utoxater*,  
 “where *Mary Queen of Scotland* had been long kept Prisoner; they  
 “found those they treated with no Enemies to Monarchy, & so they had  
 “reason to expect good Conditions from them: but that Treaty was  
 “interrupted by a Message from *Lambert*, who was now advanced ve-  
 “ry near *Utoxater*, and sent them word that if they would Treat  
 “it must be with him, which was no good News to our Collonels.  
 “Yet they went to him, and found him very discreet; he ap-  
 “pointed *Lilburn*, *Hains*, and *Manwaring* to Treat. They demand-  
 “ed of us the delivery of *Berwick* and *Carlisle*; and undertook if we  
 “would engage to deliver those Places, we should not only be per-  
 “mitted to go back to *Scotland*, but conveyed thither. Our Com-  
 “missioners answered, they had only Warrant to Treat about the Ge-  
 “neral, and those with him, and had no power to Treat about those  
 “Places: so our Commissioners were sent to know the Generals Plea-  
 “sure about *Berwick* and *Carlisle*, who answered, he neither could nor  
 “would engage for the performance of what was not in his power,  
 “since in that condition he was in, he had no reason to expect obedi-  
 “ence to his Orders from the Deputy-Governours; adding, that he

An. 1648. "did not set that value on himself, or his Liberty, as for the Procuring  
 "of it, to do any thing might so far prejudice the Kings Service, as the  
 "Delivery of these Towns would do; whereupon he dismissed the  
 "Collonels with some very sad expressions. During this Treaty the  
 "Lord Grey of Grobie came towards Utoxater, to whom the General  
 "sent Collonel Ker to tell him, he was in Treaty with Lambert; and  
 "those who were appointed to Treat, agreed on the following Articles.

The Articles  
 of Rendition.

- T**hat James Duke of Hamilton his Grace, with the rest of the Officers and Souldiers under his Command, now at Utoxater, shall render themselves up Prisoners of War, (with their Horses, Arms, and all other Provisions of War, Bag and Baggage whatsoever, (except what is mentioned in the ensuing Articles) to Major-General Lambert, or such as he shall appoint, without spoil, concealment, or imbeazlement, by four of the Clock this Afternoon, upon Utoxater-Heath, or some convenient Field near unto it.
- II. That the Duke of Hamilton, with all Officers and Souldiers of the said Scottish Forces at Utoxater, shall have their Lives and Safety of their Persons assured to them, and shall not be pillaged or stript of their wearing Cloaths, or what they have about them, or otherwise wronged, beaten, or abused, upon the delivering up of their Arms, or afterwards, and shall have civil Usage during the time of their Imprisonment.
- III. That all Field-Officers, and Captains of Horse in Command, shall have each of them a Horse provided to ride on, to such Places as shall be appointed by Major-General Lambert for their Stay; each Collonel in Command to have one Horse for his Servant to ride with him, and each Commission-Officer that is sick or wounded, and not able to go on foot, to have one Horse provided for himself to ride on, and that a safe Convey shall be provided to conduct the Prisoners to the Places they shall be sent to; and if any that are sick or wounded do desire it, they may have liberty to stay at Utoxater till further Order from Major-General Lambert.
- IV. That the said Duke of Hamilton shall have six of his Servants, such as he shall choose, allowed to wait on him, and each of them an Horse to ride with him, till they come to the Place of Stay, and have none of their wearing Cloaths or what they have about them taken from them.
- V. That all Treasure and Plate remaining in the Scottish Army at Utoxater, shall be delivered up to such Persons as Major-General Lambert shall appoint.

Signed,

Rob. Lilburn,  
 Hezekiah Hayns,  
 Edward Manwaring,

William Lockhart,  
 James Foules,  
 James Turner.

Lambert desired them to sign the Articles quickly, and he would go to Utoxater to save the Duke from Grey of Grobie's Men: but before he came they had fallen in, not regarding the Treaty nor the Cessation of Arms, and had taken the Duke; yet Lambert would not look on him as a Prisoner till the Articles were signed, which he ratified, and disclaimed Grey of Grobie's taking him, as done in time of Treaty and Cessation, against the Law of War and Nations: neither was the Lord Grey empowered by the Parliament, so that Lambert having Authority from them, they were obliged by his Treaty and Articles. The Articles



cles were also signed, though not sent back, some time before Grey himself came up. *Am. 1648.*

The Duke was carried to *Derby*, from that to *Longburrough*, from *The Duke in* that to *Leicester*, and from that on the 28<sup>th</sup> of *August* to *Ashby de la* Prison, *Zouch*, where he continued Prisoner till the beginning of *December* that he was carried to *Windsor*. He was kept under strict Guards, and in a close Restraint, not being permitted to go without the Castle, and but seldome to walk in the Court; for the second night after he came thither, when he was taking a turn in the Court after Supper, he had not walked half an hour, when a Serjeant came and commanded him to his Chamber, though many Souldiers were looking on: he immediately went to his Apartment, and said to the Lord *Bargany*, who was Prisoner with him, that the Serjeants carriage was a notable instance of the vanity of worldly Greatness, and the instability of mans Condition in this Life; since he, who but a few days ago commanded so many thousand men, was now himself commanded by a private Serjeant. Soon after his Imprisonment the Parliament sent two of their number, and *Hugh Peters* waiting on them, to examine him in order to the discovering those in *England*, who had confederated and corresponded with him in this Engagement: but the Examination held not long, for they could draw nothing from him, and found none of their Arts could prevail (though they spared neither Promises nor Threatnings) to make him think of redeeming either Life or Liberty at so base a rate, his Honour and Conscience being much dearer to him. He told them, he could not say he knew any thing worth their pains, but if he did, nothing, no not Torture it self, should ever draw it from him.

and examined, but discovers nothing.

Thus ended that Expedition, the miscarriage whereof occasioned much Censure and Reproach; but those who did impartially reflect on the whole progress of that Army, ceased to wonder, when they saw the ruin of a raw, undisciplined Army, which without either Artillery or Ammunition sufficient, was precipitated by an over-hasty March into an Enemies Country, harassed and wearied with a sad March, in such bad weather and way, and encountered by so strong an Enemy; who as he had a well-disciplined and trained Army, so he had the whole Country on his side: and wherever any censurable Miscarriage was to be fastened all that were impartial did confess the Duke free of blame, except for yielding too much to other more experienced Souldiers, who upon every inclination he expressed of differing from their Counsels, told him he was ruining the Kings Service. And just observers, when they considered how little care he expressed for preserving himself, and how much for preserving the Army, how ready he was to hazard his own Person, how he would not abandon the broken Remains of his Army, but stayed and run the same Fortune with them, when others were more careful of their own Preservation; how he would not preserve himself at the rate of delivering up *Berwick* or *Carlisle*, judging those Places of more importance for His Majesties Service than his Liberty could be, or the Liberty of that handful was with him; and in fine, how he abhorred so mean a thought as the ransoming himself by betraying others with whom he had corresponded; did very much condemn the too great forwardness of some in believing those base Reports which were spread of his betraying that Army.

The Censures passed on the Engagement.

But

An. 1648.

*Lauderdale is  
sent to bring  
the Prince to  
Command the  
Army.*

But in *Scotland* things changed no less strangely. The Clergy during the Armies March, continued animating the People into an opposition to the Engagement : but the Committee of Estates secured the Peace of the Kingdom, by some Troops they kept in suspected places, and seemed to connive at many things, which they resolved to punish to purpose when they had a good account of their Army. About the end of *July* Mr. *Murray* came to *Scotland* from the Queen and Prince, with full assurances of their Friendship and Kindness to them, and told them that the Prince was ready to come as soon as he were sent for, appointing them to send to him to *Holland* whither he was then going ; whereupon the Earl of *Lauderdale* was sent by the Committee of Estates to invite his Highness to come and Command their Army, giving him the Publick Faith of the Kingdom for his Honour, Freedom, and Safety, both during his stay with them, and for liberty to leave them when he would. He was also to desire his Highness would land at *Berwick*, and for satisfying the People as much as could be, that he would bring none with him who were hateful to the Nation, and would, as the King had always done in *Scotland*, conform himself to their Forms of Religious Worship.

On the fifth of *August* he set sail first for *Tarmouth-Road*, where he heard the Prince was with the Fleet, but that being contradicted, he held his Course for *Holland* ; and as he was sailing into the *Brill* the Pilots Boat assured him, that his Highness was gone from thence, but he knew not whither : wherefore seeing a Man of War, who as they told him, belonged to the Prince, he turned his Course, and followed him, but he could not overtake him. At last a Frigate of the Prince's came a-stern of him, and told him he was in the *Downs* ; so he sailed on with the Frigate, and came to the *Downs* on the 10<sup>th</sup> of *August*, where he found his Highness, and Prince *Robert*, with some others of the Nobility, and of his Council, and a very good Fleet of about eighteen sail, commanded by the Lord *Willoughby* as Vice-admiral. His Highness gave him a very kind Reception, and expressed a great sense of the Loyalty and Duty of the *Scottish* Nation ; all that were about him were likewise very well-affected to that Nation. The Prince called the Earl of *Lauderdale* to his Council, where he appointed him to deliver his Message, which he did ; and the Prince after a days consideration, gave him a very Gracious Answer to every particular, and resolved to go quickly to *Berwick*, and from that to make all the haste he could to the Army ; but he was first to go to *Holland*, where he intended to stay some few days. The Earl of *Lauderdale* had got Instructions from *Scotland* to go to the Prince of *Orange*, and the *States General*, to give them an account of their Affairs, and to crave their Assistance in Money, Arms, Ammunition, and Shipping ; to see also what Money could be borrowed upon the Publick Faith of *Scotland* for the prosecuting the Engagement, and to desire from them the three *Scottish* Regiments that were then in the *States Service*, and to settle a firm Alliance with them : and from them he was to go to *France*, with Letters to the Queen, and to treat with the Queen Mother of *France* for the Assistance of that Nation, according to the ancient Alliances between the Crowns of *France* and *Scotland*. All these Instructions being communicated to his Highness, he judged the Employment might be of good use, but would not let the Earl of  
*Lauderdale*

*Lauderdale* leave him, intending to carry him with him to *Holland*, and *An. 1648.* was very well pleased that *Sir Robert Murray* was appointed to go to *France*, in case the other went not: yet he resolved to carry him along likewise to *Holland*. Upon which the Earl of *Lauderdale* sent advertisement to *Scotland*, to make ready for his Highness Reception. This was done on the 20<sup>th</sup> of *August*, and as the Prince was making ready, the sad news of the Defeat of the Army was brought him: so that Design vanished.

But in *Scotland* the news of the routing of the Army was received by the opposite Party, with all the insultings of Joy, they adding infamous opprobries to their Invectives. Some observing that the Division of the Duke's Army, which was its Ruin, was on the 17<sup>th</sup> day of *August*, the day in which the Covenant was first made, which from thence some used to call *Saint Covenants day*; this Conjunction of Affairs was held a visible Declaration of Gods Displeasure, (for their breaking the Covenant and their Juggling in it,) by those who took upon them to expound all Gods Providences. The Western Counties were commanded, and animated to an Insurrection by the Lord Chancellor and the Earl of *Eglinton*, together with their Ministers, who came leading out whole Parishes with such Arms as could be had, and when these failed, with Staves, and Pitch-forks, and Sythes.

When the Resolutions for raising an Army were taken in the Parliament, divers of the Nobility did dissent from them, the chief of whom were *Lowdon*, who was then Lord Chancellor, and *Argyle*: and now *Lowdon* upon the notice of the misfortune in *England*, gave out Orders for raising the Western Counties, and all others who would zealously own the Covenant against the late Engagement. Those that were raised were at first commanded by the Earl of *Eglinton*, and the Marquis of *Argyle* made all the haste he could to come down with his *Highlanders*: the Earl of *Cassilis* was slowest with his men, for though he had dissented from the Engagement, yet he was long unsatisfied with the Tumultariness of the Insurrection, but after some times consulting about it, he came up to them at *Linlithgow*. An Insurrection in Scotland.

This, together with the sad account of Affairs from *England*, did not a little disorder the Committee of Estates, who as they drew a few Troops that were kept in the Country for their Guard nearer them, so were not well resolved what to do. They looked on the business as desperate by the ruin of the Army in *England*; and though it was easie to scatter the confused Bodies were coming from the West, yet they apprehended, that certainly they finding their own weakness, would call for the Assistance of the *English* Army, before which they knew they could not stand. Most of the Committee were men of good Estates, who apprehending certain ruin to their Fortunes, were resolved to see to their own Preservation the best way they could. Others were much addicted to the Ministers, and though they had gone along with the Service, notwithstanding the opposition of the Clergy; yet now that they knew they were resolved to excommunicate all who were for the Engagement, their hearts failed them. Many of the Ministers did also represent to them, and some of their Friends, that their Designs being blasted by God, why should they fight any longer against him? and assured them, that if they would lay down Arms, and accommodate matters without Blood, all should go well; that they would

Many in the Committee of Estates incline to yield to them.



An. 1648. would all own the Kings Quarrel, according to the Covenant : but if on the other hand they persisted in their opposition to the Church, the English Army would be called in, which would undoubtedly destroy both the Country and them. These things prevailed with most of the Committee of Estates.

But the Earl of Lanerick opposed all these Resolutions, judging it base and dishonourable to treat with those Rebels, and abandon so good a Cause because of a Misfortune. He thought it therefore necessary to recall Sir George Monro with his Forces, and secure themselves of Sterlin and St. Johnstoun, and then to raise all the North, by which they might gather a new Army ; and the time of the Year told them, that Cromwel durst not stay long in these Parts: so that upon his going to London they might make themselves Masters of Scotland, and force a new Army into England the next Year. Yet in this he was almost alone, and many of the Committee of Estates plied him hard, especially with one Argument, that if more Blood were shed in Scotland, their Enemies would undoubtedly revenge themselves on his Brother; and then all the World would say his Ambition to succeed him, had made him contribute to his Ruin. But on the other hand the Ministers and their Adherents gave great Assurances, that they should procure his Brother's Liberty, if matters were packt up. This being constantly pressed on him, he yielded to be passive, and let them be doing; and so after some days Debate they resolved to prosecute the Engagement no more, and to pack up the business if it were possible: therefore they sent the Lords of Lee and Humby to the Western Forces, ( who were come in their March the length of Hamilton ) to see what their Demands were, and to propose a Cessation in order to a Treaty; they also sent Orders to Sir George Monro to return to Scotland. But here I shall stop a little, to give account of the motions of his Army in England.

The account  
of the Irish  
Army.

Musgrave had got intelligence that Cromwel with his Army was upon his March to stop the Duke's progress, and had advanced the length of Skipton-Castle in Yorkshire; which Advertisement was instantly dispatched to the Duke at Preston, and a small Party of about forty Horse was sent under the Command of one Galbreath, to examin the truth of these Reports; who returned with this Account, That having concealed their Party within a Hedge near that Place, some of them came to a House of their acquaintance, from which they sent a Servant to Skipton, who brought them assurance of Cromwel's being there with an Army of about ten thousand men, and that he had commanded those of that Garrison excepting a few, to be ready to march with him next day.

Sir George Monro being thus informed, sent Advertisement to Preston by divers Messengers of both Sexes; but neither did this Intelligence, nor any sent before, ever come to the Duke's Army, which is attested by many Persons of Honour then in Command there; and indeed those of the Army rested wholly on Langdale's Intelligence. But Monro considering that Skipton was equally distant from Kirbie Lumsdale where he lay, and Preston, judged that Cromwel's first Design was upon him; which upon, and in pursuance of the Duke's Orders, he retired softly upon the way towards Appleby about fourteen miles back: but the second day, having notice that Cromwel had taken the road to Preston,

*Preston*, he returned to his former Station, where he kept both Horse and Foot night and day in readiness. An. 1648.

Two days after that towards the morning, a small Party of Horse sent out from the Watch upon the *Preston*-road, were unexpectedly alarmed with the noise of Horse-feet, as it were at a good distance; but those were presently discovered to be the scattered Troops of the Duke's Army. Some of them were Officers of Foot, who as they declared, were Commanded out from *Preston* to the assistance of Sir *Marmaduke Langdale*, whilst he and *Cromwel* were engaged in a Hedge-fight: but before they were able to give him relief, *Cromwel* had forced them to retire, and had got in after Sir *Marmaduke* betwixt them and the Town, and so had separated them from the Duke's Army. There were also some Troops of Horse who were the Rear-guard, of whom mention was made in the account of the business of *Preston*, in all about twelve hundred, belonging to divers Regiments of Horse: they were earnestly solicited by Sir *George Monro*, to stay with him till they should hear what had become of the Duke and his Army. But they objected their Men and Horses were very weary, and that there was a great want of Horse-shoes amongst them; and so excused themselves, and said they should only go to some of the nearest Villages, where they might be refreshed: but they went straight to *Scotland* through *Westmoreland* and *Northumberland*, spoiling and plundering all these Counties as they past; which made great out-crying, and was charged upon the Forces Commanded by Sir *George Monro*, (who not long after followed them,) but very unjustly.

At *Kirbie-Lumsdale* Sir *George Monro* and the Gentlemen who were with him stayed a few days, to learn the certainty of the Duke's Condition, the reports whereof changed hourly: but fearing the worst of the Duke, and the danger of being surprized, they retired to *Kirbie-Steven*; and getting no certain advertisements of the Duke or his Army, thought it fit to send for advice to *Scotland*, and to be still drawing North-ward through *Northumberland*. When they came to *Morpeth*, Collonel *Hamilton*, General of the Artillery, came to them from *Edinburgh*, with Orders from the Committee of Estates to take *Newcastle*, or at least to fortifie themselves where they were, and attend the Duke's coming, whose Army they still judged to be safe, and that it was like he would return through *Yorkshire*: but they got soon after that the certainty that the Duke's Army was wholly lost, and that *Cromwel* with a great part of his Army was on his March to fall upon them. Upon this they took their way for *Berwick*, and met new Orders from *Scotland*, giving notice of a great *Insurrection* in the West, and thereupon requiring them with all possible speed to hasten to *Cockburns-path*, where the Committee of Estates was to meet them. They also ordered them to suffer none of the *English* Forces to come to *Scotland* with them, which was executed at *Berwick*; great Complaints being made by the *English* Gentlemen of that inhumane Usage. Upon the way from *Berwick*, it was told Sir *George*, that he had need to look to himself, and those with him, since the Committee of Estates, even after they had called for him to their assistance, and were forced, by the multitudes of Armed men drawing from the West towards *Edinburgh*, to fly to him for Safety; yet had passed an Act not to prosecute the Engagement any further, and that they had entred already

An. 1648. upon a Treaty with the other Party, and had imployed the Lords of *Lee* and *Humby* to go to them with Propositions. He reflecting on these News, and the Orders he had received not to let any of the *English* Nation cross *Tweed*, thought there was no more intended but to make use of him as an Engine for a safe off-coming: but though *Argyle* sent his Brother to him, inviting him to his Party with great offers; yet he rejected that Proposition, and hastened forward to *Cockburnspath*, where he found no body. He lay a night or two there, and got Orders to march to *Hadington*, where the Earls of *Crawford*, *Glencairn*, and *Lanerick* met him, who had got together some of the scattered Troops belonging to the Regiments that had left the Duke at *Preston*. And at *Gladesmoor*, all the Forces were put in Order, which upon Rendezvous were above three thousand Horse, and two thousand Foot; from thence they advanced to *Musselburgh*; near which a Party of seven or eight hundred Horse of the Western Army were come from *Edinburgh* to view the fields. They, upon discovery of the March of the Forces from *Gladesmoor*, retired, leaving a Troop at the Bridge, who at the approach of sixteen Horsemen run away in all haste; and so escaped with the loss of some few that were taken Prisoners.

The Irish Army returns to Scotland,

These Earls lodged that night at *Inneresk*, and agreed next day to march by *Edinburgh* upon the South-side, to shun the danger and Straits of the way by *Leith*, which was beset by that new Army from the West, though *Monro* offered with his Forces to clear the way to them; but the greatest part of the Committee were resolved not to engage in blood. The Western Army was now some way modelled, and Commanded by the Earl of *Leven* as General, *David Lesly* as Lieutenant-General, and *Robert Montgomery* and Sir *John Brown*, as Major-Generals. Some of the Ministers were earnest for fighting, not doubting but their Enemies would fly before them; but the Military men understood well enough their own weakness, and therefore would not engage. All this while the Lords of *Lee* and *Humby* were very diligent, posting night and day betwixt those in *Edinburgh* and the Committee of Estates, to mediate an Accommodation betwixt both Parties, but hitherto without any effect.

The Committee of Estates took their way by *Pentland-hills*, where they lay that night: next day they did march by *Collingtown* and *Christophen*, and so towards *Linlithgow*, purposing to hinder the Conjunction of some new additions of Forces from the West, led by the Lords of *Cassilis*, *Kirkubright*, and *Argyle*: as also to fix themselves at *Sterlin*, as a secure place, and convenient for maintaining their Army, and for raising the whole Country on the north of *Forth*, or fighting if occasion should offer.

At *Linlithgow* the Earl of *Cassilis*, with about four or five hundred Horse, was almost surprized; but by the darkness of the night he escaped towards *Burroughstownness*, and the *Queens-ferry*, and so to *Edinburgh*.

Lieutenant-General *Lesley* with his new Army followed upon the others Rear near *Linlithgow*, but was loth to engage, having little Confidence in his Men, although he was hard pressed to it, for preventing the danger *Argyle* might fall into at *Sterlin*; and Sir *George Monro* would willingly have turned upon him, but that he was earnest once to be at *Sterlin*, where he hoped to fall upon *Argyle* and his Party, and therefore hastened forward.

At



At *Larbour* he was assured that *Argyle* with about sixty Horſe, and a *An. 1648.* thouſand Foot all *Highlanders*, was in the Town of *Sterlin*, keeping a Committee, and treating with the Caſtle ( wherein was the Kings *Garrifon* commanded by *Norman Levingſtoun* ) for a Surrender ; upon that Sir *George* haſted on with the Cavalry, commanding the Foot to follow in order as faſt as they could, which they did at a good pace. A Gentleman coming from *Sterlin* met Sir *George* about *St. Ninians*, and told him that the *Barras-port* was ſhut and manned, and that 'he muſt paſs through the Park, round about the Caſtle, to gain the Bridge, and prevent *Argyle's* Flight : and as he came near the Caſtle, the Governour diſplayed the Kings Colours upon the Walls, and cauſed the Cannon to play upon the Bridge, where he perceived ſome of *Argyle's* People withdrawing. The difficulties Sir *George* met with in opening the Park-Gate, and breaking down ſome Stone-walls to make a paſſage for the Horſe, gave time to the Marquis of *Argyle* to get himſelf and his Troopers mounted. They paſſ'd the Bridge in haſte, a very little before Sir *George*, who with five Horſemen purſued them a good way : the *Highlanders* marching cloſe together, to paſs after their Lord, were aſſaulted by the firſt Troop that came up after Sir *George* : they made ſome ſort of confuſed reſiſtance, but were inſtantly trod down, and ſcattered, and forced to call for Quarter ; about a hundred were killed and drowned attempting to ſwim the River, the reſt taken Priſoners, being betwixt eight or nine hundred.

Upon this Orders were diſpatched from the Committee of Eſtates for raiſing all the ſenſible men in the Northern Shires, to joyn with thoſe at *Sterlin*, and *Lanerick* went to *Perthſhire* to invite the Nobility to joyn. Upon which the Lord *Ogilvy* and the Lord *Drummond* came with ſome Propoſitions to the Committee of Eſtates ; yet all means were eſſayed to bring the Matter to a Treaty. The Earls of *Crawford* and *Glencairn* had drawn the Earl of *Buckleugh*, and Mr. *Robert Douglas* and Mr. *Robert Blair*, two leading Miniſters, from *Edinburgh* to a private Conference with them, where *Crawford* and *Glencairn* moved, that the Committee ſitting at *Edinburgh* might come and reſide there for perfecting of the Treaty, whiſt their Forces ſhould continue at *Sterlin* ; A Treaty is which was flatly denied them. purſued.

Here the Miniſters were very earneſt with theſe Lords, that matters might be accomodated. The Lords moved, That nothing might be done to derogate from the Authority of Parliament, and Committee of Eſtates ; That the Officers and Souldiers then in Arms by their Authority, might be provided for and entertained ; That at leaſt, if there was no further uſe for their Service, the Articles agreed to by the Parliament for theſe Forces that came from *Ireland*, might be duly kept to them, and that ſome conſideration might be given to the reſt of the Forces that were to be diſbanded ; That none who had entred into that Engagement might be queſtioned for it, but enjoy ſtill their Offices, Honours, and Fortunes, and other Civil Places ; That an effectual Courſe might be agreed on for the Relief of their Friends, detained Priſoners in *England* ; and finally, That the Committee might fit with Freedom in the ordinary Place, and by advice of the Church conſider of the dangers of Religion, of his Maſteſty and his Poſterity, and and of the Peace and Safety of his Kingdoms, that ſo by joynt advice ſuch ways might be taken as would beſt ſecure Religion, preſerve

An. 1648. his Majesty and his Posterity, and quiet the Distempers of the Kingdom.

The Ministers on the other hand propos'd That all Armies, whether in the Fields or in the Garrisons of *Berwick* or *Carlisle*, should be presently disbanded; That the securing the Interest of Religion might be referred to the General Assembly, or their Commissioners, and all Civil Differences to the Determination of a Parliament to be speedily called; That in the mean time there should be a Committee of Estates, in which none should be admitted that had concurred in the late Engagement: but withall they gave them good assurances, both for the Prisoners in *England* and for themselves, that no Prejudice should follow on any for their accession to the Engagement; and when the Earl of *Glencairn* said, perhaps nothing would be kept of all that should be agreed to; Mr. *Douglas* answered, that if but a tittle of the Agreement were broken, all the Pulpits in *Scotland* should declare against it.

But now *Argyle*, having escaped from these who pursued him, was joyned to the Western Forces, commonly called *Whiggamores*; and he being irritated with what befell him; at *Sterlin*, was for severer Methods. They resolv'd to invite the *English* Army to their Assistance, to which *Cromwel* was not backward, both that he might recover *Berwick* and *Carlisle*, and destroy all the Kings Friends. The *Whiggamores* did also know well how averse the Committee of Estates were from Engaging into Action, and that they intended to make Peace on any terms: therefore they grew high in their Propositions, and at *Sterlin* the other Party was much divided; for most of the Committee of Estates were for a Treaty, and most of the Officers of the *Scotish* Forces were Capitulating for themselves.

The chief Arguments propos'd to perswade the necessity of this Agreement, were the improbability, if not impossibility, of resistance if *Cromwel* should joyn the Enemy, who had already invited him to *Edinburgh* by a Message sent him to *Berwick* by *Argyle*, *Elcho*, and other two Commissioners, which they doubted not but he would accept; The fear this Conjunction would beget in the Country would hinder their Rising, and drive their Army either to a want of Subsistence, or to destroy their Friends, and turn them Malecontents first, and then Enemies: but above all, some pretended the fitness of preserving the Kings Friends and Favourers to a better opportunity for his Service, which they hoped would quickly offer it self.

It was objected against the Treaty, That the Relief of their Prince from such a cruel Captivity, was a just cause; That they had Law and Authority upon their side, and so ought not to be diffident of success, or fearful that lawless Rebellion, how strong soever, should prosper; That their *Enemies* joyning with *Cromwel* and his Army of *Señaries*, would make them the more hated, and quickly discover that it was not Religion and Reformation they intended, as they always gave out, but that they sought the Government and Worldly ends, whereupon many of both Nations would fall from them; That the Kings Safety, and the Preservation of their Friends then Prisoners in *England*, depended much upon them, and their Continuing in Arms; That they were bound to continue in their Duty, and wait for what Change God would bring about, and that suppose good Conditions were granted, what assurance could be given for the performance of them? Those who  
oppo-

opposed the Treaty were the Earl of *Lanerick*, and most of the *Irish An.* 1648. Officers. In end *Lanerick* was prevailed with to give way to it, which he did not only then declare was against his Heart, and done meerly to prevent a Rupture that had otherwise followed among themselves; but he continued to his Death condemning it, whatever seeming colours of reason might be given for it. The Officers of the Army brought from *Ireland*, seeing they would be infallibly ruined if they were deprived of the Authority of the Committee of Estates, were likewise forced to give way to a Treaty; so the following Articles were agreed on and sent to the *Whiggamores*.

**W**E being Servants to the State, and unwilling to engage in a Civil War, do conceive our selves obliged to remit the ways of prosecuting of all Duties to Religion, and to our King, to the determination of Church and State; and let them move in it as they will be answerable to God, our Lives shall ever be ready to be exposed to all hazards for the good of both: and if all duties for them, and for our friends Release in England, shall now be deserted, let the blame before God and Men lye upon the obstructers of it. And if no further use be made of our Service, we do demand,

Articles offered for a Treaty.

I. That Security be given to all who are or have been engaged in this Service, for their Persons, Honours, and Estates, whereby they may be free from all Dangers, Prejudices, and Censures whatsoever, whether Ecclesiastical or Civil, for their accession to the late Engagement, or any thing done by them relating thereunto, or to this present Service, for our own Defence; and this to be confirmed by Act of Parliament, or the lawful Authority of the Kingdom.

II. That in regard of our extraordinary Charges and Loss, one Months Pay be instantly delivered us for payment of the *Irish Forces*, and that Boats and Ships be presently provided for their Transportation to *Ireland*; and for preventing all Disorders upon their March through the West Country by free Quartering, we do desire that a regular Course may be taken for their Entertainment during their abode, which shall be no longer than Wind and Weather shall serve, and Boats be provided to transport them.

III. That one Months Pay be provided for the *Scotish Forces*, and that they be not disbanded until the *Irish Forces* be transported, or that sufficient Pledges be delivered for performance of what is desired, and that their Disbanding and Transportation be done by Authority of the Committee of Estates.

These reasonable Demands being performed, we the *Irish* are ready instantly to march towards any part of the West-coast, which shall be thought most fit for our Transportation into *Ireland*, and we the *Scots* instantly to disband; otherwise rather than expose our Lives and Fortunes to the mercy of any by the want of fitting Assurances for what is past, or the loss of our Honours by deserting the Interest of those commanded by us, or who joyn with us, we are resolved to sacrifice our selves at the dearest rates we can, and take God to witness how free we are of the Guilt and Consequences that may follow thereupon.

We have appointed our Commissioners to stay no longer than six a clock at night to morrow the 19<sup>th</sup>, and that the Treaty shall then end, and the Cessation to expire eight hours thereafter, unless the Desires above-mentioned be fully granted.

Signed by the Warrant and at the Command of the Officers, and others now in Arms, by Authority of the Parliament of the Kingdom of Scotland,

Sterlin 18<sup>th</sup> September

1648.

JO. SPALDING.

To



An. 1648.

The Answer  
sent to these  
offers.

To these they had the following Answer returned them.

**W**E have considered the Desires of the Officers and Souldiers at Sterlin, and do return this Answer :

That the Imputation of neglecting all Duties to Religion, and to the King, mentioned in the Preface to the Articles, cannot be charged upon us, who have never been wanting in the use of all lawful Means to prosecute the Ends of our Solemn League and Covenant; but upon those who joined in the prosecution of the late unlawful Engagement against our Neighbour-Nation of England, which hath been destructive to all those Ends.

Touching the first Article we refer you to the Answer given in our former Papers; and do here again declare, that we shall not challenge any of your number for their Lives and Estates, but shall endeavour to secure them so far as we can, without approbation of their Actions, or breach of the Covenant and Treaties. And for that which concerns Exemption from Church-Censures, we cannot meddle therein without breach of Covenant, but must refer you to the Judicatories of the Kirk, to whom you may make your own Address, and receive Answer.

Concerning the second and third Article, we refer you to the Answer given by our Commissioners to the Commissioners on your side, which was, that we held it unreasonable that they should desire any thing from us, or any other who adhere to us, for satisfaction of their Officers and Souldiers, because we will not involve our Selves in any thing which may import any accession to the late Engagement, or may be the ground of a Quarrel to England against this Kingdom: but if they had real inclinations to Peace, they and their Adherents, might without our accession thereunto take course amongst themselves for giving satisfaction to their Officers and Souldiers; and therefore we did desire, and do now again renew the same, that all their Forces, and the Forces of those who adhere unto them, may be disbanded betwixt this and the 25<sup>th</sup>, at furthest the 28<sup>th</sup>, of this Month September, and that none of them be found together after that time, in Troops, Companies, or Regiments; and we shall betwixt this and the said day disband all our Forces, and none of them after that time shall be found in Troops, Companies or Regiments; for the punctual observance whereof on both sides mutual Pledges are to be given, and further we cannot say in answer to these Articles.

If you shall not agree to the Desires made in our last Paper of the 16<sup>th</sup> of this Instant, and not rest satisfied with these Answers, but shall continue in Arms to the disturbance of the Peace of this Kingdom, and persist in the Causes in the which you are now engaged, contrary to the Declaration of the General Assembly and their Commissioners;

We do hereby certifie you, that all who have been Active in the late Engagement, as well those in England, as those in this Kingdom, and all such as have or shall hereafter joyn with you, are to be declared Enemies to both Kingdoms, and that this Kingdom will be necessitated to concur with the Kingdom of England, for punishing them accordingly as breakers of the Covenant and Treaties.

We leave it to you seriously to consider, whether the Ways and Courses you are upon be really for the good of the King and this Kingdom, or a safe way for the relief of your Friends that are Prisoners in England.

Signed,

By Warrant and Command of the Noblemen, Officers, and  
Gentlemen now in Armes for the Covenant,

Edinb. 20<sup>th</sup> Sept. 1648.

THO. HENDERSON.

After

After some dayes treating upon the Heads wherein they differed, *An. 1648.* the Treaty was finished upon the 26<sup>th</sup> of September, those at *Sterlin* yielding to the Propositions made by the *Whiggamors*.

And it was agreed that the *Irish Army* should be suffered to march to *Ireland*, and should have free Passage thither; that none should be questioned for what was past; only that all who had been in the Engagement, should lay down their Offices and places of Trust; and not be permitted to sit in any Judicatory, and that all Publick Matters should be referred to the Determination of the Parliament, and the General Assembly.

It was very soon after the closing of the Treaty remarked, how small regard was had to it; for the Troops being once dissipated, and those who were to go to *Ireland*, being on their March thither, there came News that the Garrisons of *Carrick-Fergus*, *Belfast*, and *Culrain*, belonging to the *Scotish Army* in *Ireland*, under the Command of Major-General *Robert Monro*, were basely betrayed under Trust by his own Officers, and Countrey-men, into the hands of General *Monk* for the Parliament of *England*.

This being spread about, the people of the West Countrey fell upon those who were returning to *Ireland*, plundered, abused, and dispersed them in their way betwixt *Glasgow* and *Air*: and after a few days a Proclamation was issued out at *Edinburgh*, commanding all persons, who had been in the Army, designed by the name of the unlawful Engagement, to remove at least twelve Miles from Town under pain of Imprisonment, *Cromwell* being on his way thither.

And thus ended the design of the Engagement, gallantly undertaken and well contrived, but unfortunately and fatally brought to nothing. The *Whiggamors* having now possessed themselves of the Power, their Leaders did constitute themselves into a Committee of Estates, for hitherto they had acted in no Legal Character. There were divers among them, who were by Authority of Parliament commissioned to be of the Committee of Estates, but with this express Provision, that they should not be capable of Sitting there till they had owned the Resolutions and Declarations of the Parliament; for divers of those who dissented, were named to be of the Committee, that so there might be a fair way for bringing them off from their Opposition. But now all these without regarding that Provision, pretended they were a *Quorum* of the Committee of Estates, and that so they were warranted by Authority of Parliament to Act in that Supreme Authority. They sent a Message to the King in their usual style, and were very careful to give no Umbrage to the Parliament of *England*; and so not only entertained *Cromwell* with all the expressions of Friendship and Confidence imaginable, delivering *Berwick* and *Carlisle* to him, but sent Commissioners with the following Instructions to the Two Houses.

**Y**ou shall repair to London, and deliver our Letter to the Honourable Houses of the Parliament of *England*.

Their Instructions to the Two Houses.

You shall excuse the long delay in sending to them, and in the mean time let them know, we hold Correspondence with the Commander in Chief of their Forces.

You shall give them a Narrative of our whole Proceedings according to the Declaration of the Kirk, and our own; particularly you shall acquaint

An. 1648. acquaint them with our Proceedings in opposition to the late unlawful Engagement, and what Industry was used on the other part, for the Election of Malignants to be Members of Parliament, and how unlawfully some were admitted to sit in Parliament; and great numbers of Malignants were brought in from England, to over-awe the honest Party, and how many of the Army were corrupted.

And you shall further represent particularly the great Sufferings and Oppressions of honest men, and that before they heard any thing of the Defeat of the Forces under Duke Hamilton in England, they had resolved on the manner and time of their Rising in Arms here in this Kingdom, against the Promoters and Abettors of that Engagement, and their Adherents. You shall also shew them the result of the Treaty betwixt us and those Armies about Sterlin, and how useful their Forces have been to us by being at so near a distance.

You shall endeavour to take away all Mis-information or Mis-constructions of any of our former Proceedings, and settle a good Understanding betwixt them and the honest protesting Party in Scotland: and you shall show them the continued evil Principles, Malice, and Designs of the Malignant Party in this Kingdom, yet to trouble our Peace and interrupt theirs, and as they call it, not to live and outlive the not carrying on so pious and loyal an Engagement: and that some of them are going to Holland with an intention, as we are informed, to bring over Forces if they can: therefore we have caused deliver Berwick to be disposed of for the Good of both Kingdoms, and given the like Warrant for Carlisle; and that it is also surrendered, or presently to surrender for the use foresaid. So we agree during these Troubles, until the Peace of this Kingdom be settled, that the Honourable Houses may keep some Forces upon the Borders, and sufficient Garrisons in them both, upon a twofold assurance: First, that in case any new Troubles be raised in Scotland by the Malignants, both they and the Forces about Newcastle have Directions from the Parliament to come unto Scotland, to pursue the Common Enemy when they shall be desired by the Committee of Estates, as it is now constituted of the Protesting Party in Scotland: and Secondly, that the Parliament shall remove all Garrisons out of those two Towns, and from our Borders, and put them in the Condition agreed on by the Treaties betwixt both Kingdoms, whensoever the Troubles are at an end, and the Peace of the Kingdoms settled.

You shall shew how desirous and willing we are to harken to any good Overture that may conduce to prevent any such-like Breaches again betwixt the Two Nations, and that it may not be in the power of Malignants again either to seduce, or to enforce upon the People the like Sin and Snare; and for mutual Consultation, we think it expedient, both that they should have some honest Noblemen, Commissioners, here to reside at Edinburgh, and that we shall have some at London, that by Commutation of Counsels, our Common Peace may be the better settled and continued.

You shall try if the Treaty betwixt the Kings Majesty and the Two Houses of Parliament be like to take effect, and shall study to preserve the Interest of this Kingdom in the matter of the settling of the Peace of these Kingdoms: and if you shall find there are real Grounds to hope an Agreement betwixt the King and the Two Houses, in respect both Kingdoms are engaged in the same Cause and Covenant, and have been, and still are under the same Dangers, and to the end our Peace may be more durable, you shall endeavour that before any Agreement of Peace



be made, we may be first acquainted therewith, that we may send up *An. 1649.* Commissions in relation to the Treaty with the King, upon the Propositions, and in relation to mutual Advice, for the settling of the Peace of these Kingdomes, and accordingly as you find the Two Houses inclin- ed therein, you shall give us Advertisement.

You shall according as upon the place it shall be found expedient, pre- sent the same Desires to the Two Houses of Parliament in name of this Kingdome, touching the Work of Reformation, as shall be presented to them from this Kirk.

You shall assist Mr. Blair in this Imployment, and take his advice and assistance in yours, and give us Advertisement weekly how all mat- ters goe.

You shall publish all Papers either concerning the Proceedings of the Church, or of the Protesters, which are necessary to be known.

You shall endeavour to keep a good Understanding betwixt us and the City, and the Assembly of Divines; and strive to remove all Jeal- ousies betwixt us and them, or betwixt honest men amongst them- selves.

You shall endeavour that honest men who have suffered for opposing the Engagement be not prejudiced, but furthered in payment of the Sumes assigned unto them before the Engagement, out of the two hun- dred thousand pound Sterling, and Brotherly Assistance, for publick Debts or Losses.

You shall acquaint the Speakers of both Houses with his Majesties Letter to this Committee, and our Answer sent to Him.

You shall desire that the Noblemen, and Gentlemen of Quality, and considerable Officers of the Army that went into England under the Duke of Hamilton, and which are now there Prisoners may be kept as Pledges of the Peace of the Kingdomes, especially to prevent a new Dis- turbance in this Kingdome, or Trouble from this Kingdome to England, until the Peace of both be settled.

You shall acquaint the Two Houses with our Answer to that of L. General Cromwell's, of the sixth of this Instant, and make use of the Grounds therein mentioned as you shall find occasion.

Their next Care was to look well to Lanerick, and the other Engagers, lest they should attempt somewhat against them; the account of which shall be set down in a Letter Lanerick wrote to the Lord Chancellour when he left Scotland. For in the end of *Lanerick ap- pointed to be secured, but escapes to Holland.* January, the Earl of Lauderdale came from Holland, being com- manded by the Prince to see what might be done there: but he found all so discouraged and overpowered, that no good was to be ex- pected; and he got advertisement from the Lord Balmerino, that they designed to secure both Lanerick and himsele, and, as he be- lieved, would deliver them up to the Parliament of England as In- cendiaries; whereupon they both resolved to go beyond Sea, in the same Ship in which Lauderdale came, and to offer their Service to the Prince. The Letter follows.

My Lord,

**A**lbeit the Proceedings of the late Committee, constituted of Dissenters, against me, was without president in Confining me a free Subject,

Ccc

(who

An. 1649. (who was neither Guilty, nor so much as accused of any Guilt or Breach of the Laws of the Kingdome) for declining to sign a Declaration and Bond, which even they themselves conceived (in Justice) they could not enjoin me to sign: yet I did submit, and went not without the Bounds limited for my Confinement, until I was certainly informed that upon Wednesday last, at a private and select Committee it was resolved, I should instantly be Committed, and the little Liberty left me taken from me; for it seems that these private persons (I speak not of Judicatories) who procured the severe Instructions given those employed to London, against my Brother the Duke of Hamilton, and the many Noble and Gallant Persons who are now in Bonds with him for their Loyal Endeavours to have rescued His Majesty from being murdered, are not satisfied, or think themselves secure, while any enjoy their Liberties, who would have been Instruments in that pious Duty to our Sovereign; therefore I am forced to seek shelter and protection abroad, since Innocency and Law, and even Treaties and Publick Engagements, prove now too weak Grounds for securing me at home. And though this rigid and unparalleled Procedure against me might have tempted the dullest and calmest nature to some Desperation, yet I have still preferred the Peace and Quiet of Scotland to all my own Interests; and I do ingeniously declare upon my Honour unto your Lordship, that I neither have had, neither do I know of any Design from abroad or at home of interrupting the same: and now in whatsoever corner of the World it shall please the Lord to throw me, as I shall endeavour (by his assistance) to maintain my Loyalty to my Prince untainted, so I shall still preserve a perfect affection to the Peace and Happiness of my Country. My prayers to God shall be, that it may yet be instrumental of advancing the Work of Reformation, and so fixing the Crowns of these Kingdomes upon the Head of our Sovereign Lord the King, and of His Royal Progeny after Him, that Faction and Rebellion may never be able to shake or interrupt their Government; that Loyalty may lose the name of Malignancy, and a good Christian may with Safety and without Scandal be and profess to be a good Subject; that the Acts of unquestionable Parliaments, and the Decrees of other Sovereign Judicatories of this Kingdom may be Security sufficient to the Subjects to govern their Civil Actions by; that they may be free of arbitrary Exactions and Impositions, and may enjoy with Truth and Peace their Estates and Liberties, without the tyrannous Encroachments of great men, and other impowered persons: and I am confident that the God of Heaven, who will Judge all the Judges on earth, will avenge the wrongs of the oppressed, and in his own time restore me again to my Country, who am now forced by unjust Persecution to flee from it. This I shall patiently wait for, and give your Lordship no more Trouble, but desire you to make what use of this you think fit, from,

My Lord,

Dirleton 25<sup>th</sup> January,  
1649.

Your Lordships most  
humble Servant,

LANERICK.

But now I return to prosecute what remains to be said of the Duke.

Anno 1649.

An. 1649.

ON the 4<sup>th</sup> of December Orders were sent to bring him to *Windsor*, and he came thither the 11<sup>th</sup> of that Month. He was lodged in the House of one of the poor Knights of *Windsor*, and kept under strict Guards; yet on the 21<sup>th</sup> of that Month, as the King was carried through *Windsor*, he prevailed so far with his Keepers as to permit him to see his Majesty: and as he passed he kneeled down, and with a transport of humble Sorrow kissed his hand, and had only time to say, *My dear Master*; the King embraced him very kindly, and said, *I have been so indeed to you*: but they were parted, and suffered to have no discourse. It may easily be imagined, with what sorrow he followed the King with his eyes as far as he could see him, knowing he was to do so no more: nor did he much regrave his present Trouble or imminent Danger, all his thoughts being swallowed up in sorrow at the Consideration of his Master's Ruin, which was then no more to be doubted; the Army and House (as it was then modelled, or rather forced) having avowed their Design against his Person, and thrown off the Disguise with which they had long mask'd themselves.

The Parliament of *England* had upon the matter condemned the Duke to perpetual Imprisonment, by setting an hundred thousand pound sterling for his Ransome, which sum could not be raised by him, at a time when by the Debts he had contracted in the Kings Service his Fortune was fallen so low. Crommel came several times to him, to draw from him some Discoveries of his Correspondents in *England*, and gave him great assurances of Life, Rewards, and Secrecy; but he rejected the Proposition with horrou and disdain, though often repeated; and apprehending they might get his Brother into their hands, sent him at that time the following Note, which I set down though unfinished, and written with the Juyce of a Lemmon.

Much pains is taken to draw discoveries from him, but in vain.

**I** Under the power of the Sword, and merciless men, no favour to be expected, oft examined, but nothing discovered, being ignorant; perhaps you will abide the same Trial, beware if you do.

The thirtieth of January was that fatal and never-to-be-forgotten Day wherein His Sacred Majesty, after the Pageantry of a Trial, to add the appearance of Justice to so base and barbarous a Murder, was beheaded, to the Amazement of all *Europe*, by an unexampled practice in any Monarchy. But the particulars of his Royal Constancy and Christian Patience, being so punctually related by others, I shall not stand to repeat what is already known: but having proposed to my self nothing more in this whole Work, than to let the World see the great Piety and strictness of Conscience that Blessed Prince carried along with him in all his Affairs, and to publish such Remains of his Pen as had not been formerly seen or known. I shall therefore insert a Copy of Verses written by his Majesty in his Captivity, which a very worthy Gentleman, who had the honour of waiting on him then, and was much trusted by him, Copied out from the Original, who avoucheth it to be a true Copy; but I shall first present that Royal Martyr to the Readers view, in the Posture which was most familiar to Him, and then set down those Verses, in which the mighty sense and the great Piety will be found to be beyond all the finest Sublimities of Poetry, which yet are not wanting here.



An. 1648.

## Rom. VIII.

— more than Conquerour.



*Alij diutius Imperium tenuerunt, nemo tam fortiter reliquit. Tacit. Histor. Lib. 2. c. 47. p. 417.*

*Bona agere, & mala pati Regium est.*

## MAJESTY in MISERY:

O R,

*An Imploration to the KING of Kings.*

Written by His late Majesty King CHARLES the First, during  
His Captivity at Carisbrook Castle, Anno Dom. 1648.

- (Power Springs
- 1 **G**REAT Monarch of the World, from whose  
The Potency and Power of Kings,  
Record the Royal Woe my Suffering sings;
  - 2 And teach my tongue, that ever did confine  
Its faculties in Truths Seraphick Line,  
To track the Treasons of thy foes and mine.
  - 3 Nature and Law, by thy Divine Decree  
(The only Root of Righteous Royaltie)  
With this dim Diadem invested me,
  - 4 With it, the sacred Scepter, Purple Robe,  
The Holy Unction, and the Royal Globe:  
Yet am I levell'd with the life of Job.
  - 5 The fiercest Furies, that do daily tread  
Upon my Grief, my Gray Dis-crowned Head,  
Are those that owe my Bounty for their Bread.
  - 6 They raise a War, and Christen it, The Cause,  
Whilst sacrilegious hands have best applause,  
Plunder and Murder are the Kingdoms Laws;
  - 7 Tyranny bears the Title of Taxation,  
Revenge and Robbery are Reformation,  
Oppression gains the name of Sequestration.

My

An. 1649.

- 8 *My Loyal Subjects who in this bad season  
Attend me ( by the Law of God and Reason )  
They dare impeach, and punish for High Treason.*
- 9 *Next at the Clergy do their Furies frown,  
Pious Episcopacy must go down,  
They will destroy the Crozier and the Crown.*
- 10 *Church-men are chain'd, and Schismaticks are free'd,  
Mechanicks preach, and Holy Fathers bleed,  
The Crown is crucified with the Creed.*
- 11 *The Church of England doth all Faction foster,  
The Pulpit is usurpt by each Impostor,  
Ex tempore excludes the Pater noster.*
- 12 *The Presbyter and Independent Seed  
Springs with broad blades ; to make Religion bleed,  
Herod and Pontius Pilate are agreed.:*
- 13 *The Corner-stone's misplac'd by every Parvies ;  
With such a bloody method and behaviour,  
Their Ancestors did crucifie our Saviour.*
- 14 *My Royal Consort, from whose fruitful Womb  
So many Princes legally have come,  
Is forc'd in Pilgrimage to seek a Tomb.*
- 15 *Great Britain's Heir is forced into France,  
Whilst on his Father's head his foes advance :  
Poor Child ! He weeps out his Inheritance.*
- 16 *With my own Power my Majesty they wound,  
In the King's Name the King himself's uncrown'd :  
So doth the Dust destroy the Diamond.*

17 *With*



- 17 *With Propositions daily they enchant.  
My Peoples ears, such as do Reason daunt,  
And the Almighty will not let me grant.*
- 18 *They promise to erect my Royal Stem,  
To make Me great, & advance my Diadem,  
If I will first fall down, and worship them ;*
- 19 *But for refusal they devour my Thrones,  
Distress my Children, and destroy my bones,  
I fear they'l force me to make bread of stones.*
- 20 *My Life they prize at such a slender rate,  
That in my absence they draw Bills of hate,  
To prove the King a Traytor to the State.*
- 21 *Felons obtain more priviledge than I,  
They are allow'd to answer ere they die,  
'Tis death for me to ask the reason, Why.*
- 22 *But, Sacred Saviour, with thy words I woo  
Thee to forgive, and not be bitter to  
Such, as thou know'st do not know what they do.*
- 23 *For since they from their Lord are so disjointed,  
As to condemn those Edicts be appointed,  
How can they prize the Power of his Anointed?*
- 24 *Augment my Patience, nullifie my Hate,  
Preserve my Issue, and inspire my Mate,  
Yet though We perish, bless this Church and State.*

Vota dabunt quæ bella negarunt.

An. 1649. But I go on from this sad subject to the tragical Conclusion of the Duke's Life.

The Duke makes an Escape from Windsor,

but is retaken in Southwark,

and is kept in St. James's.

The News of that Murder sunk the Duke's thoughts into a deep Sorrow, which he carried with him to his Grave: he well saw his own Danger, knowing that those who had broken all the bonds of Loyalty and Duty, were not to tie themselves to the faith of a Capitulation or Articles, though granted by a person impowered by them; and therefore he designed an Escape from *Windsor* that night, which was contrived by his faithful Servant Mr. *Cole*, afterwards one of the Kings Quirries, who during his imprisonment had liberty to go and return from *London*, which he did very frequently, bringing him an account of what passed. And the Duke having gained his Keeper, ordered Mr. *Cole* to send a trusty Servant with two Horses to *Windsor*, which accordingly he did; advertising the Duke not to come to the City till seven a Clock in the Morning, and then Mr. *Cole* was to come to him near *London*, and bring him to some secure House in the City; whereupon at night about the time of shutting the Gates, the Duke made his Escape freely out of the Castle, without suspicion, and came to the Place appointed, where his Servant and Horses waited for him. But he fatally went from the Resolutions he had laid down with Mr. *Cole*, and would needs go in the night to *Southwark*, thinking to have got to Mr. *Owen's* House, who was acquainted with the business; not considering what had been told him of the Guards were about the City all the night, so that there was no coming to it but in the day: and all things concurring to hasten him to his Grave, there was that night a Party of Horse and Foot in *Southwark* searching for Sir *Lewis Dyves*, and another who had escaped the night before. Some of them meeting the Duke in the Streets about four in the morning, where he had long knocked at a door, took him, and examined him: he told them a very formal Story of himself and his business, which at first satisfied them; but they observed, that as he took a pipe of Tobacco by them, he burned several great Papers to fire it; whereupon they searched him, and found such Papers about him as discovered him. It was not before the next morning that he was missed at *Windsor*, for that night he made his Escape there came an Order from *Cromwel* to the Governour of *Windsor* to make him close Prisoner, and put all his Servants from him, who thereupon ordered the Captain of the Guard to go about it; but he hearing the Duke was a-bed, delayed it till next morning, and then found he was gone. It being discovered that Mr. *Cole* had ordered the Duke's Escape, many advised him to go out of the way; but he resolved rather to die than to leave his Master at such a time, and made a shift to come at him that same evening. When the Duke saw him, he lifted up his hands, and said, *It was Gods will it should be thus*. That night Mr. *Cole* was also taken, and Sir *Hardress Waller* examined him, but drew nothing from him, whereupon he was made close Prisoner; yet when the Duke was brought to his Trial he procured his Liberty, for the Averment of some particulars of his Plea.

The Duke being thus unfortunately retaken, he was committed to Prison at *St. James's*, in the same Room where the Earl of *Norwich*, the Lord *Capel*, and Sir *John Owen* were Prisoners, and then all saw in what danger his Life was: whereupon great endeavours were used and strong applications made in *Scotland* to the Marquis of *Argyle*, who had then the

the chief Power there, that the Committee of Estates would so far *An. 1649.* study his Preservation, as to own that what he did was by the Authority of that Kingdom, that so whatever other Punishment they would lay on him, his Life might not go for it: And it had been faithfully promised by all the Leaders of that Party, at the Pacification at *Sterlin*, either to save his Life, or to make his Death a National Quarrel. But the Marquis of *Argyle* would not interpose, and though the Dukes Daughter, the present Dutches of *Hamilton*, left no means unessay'd to prevail on him; yet all was in vain, for he pretended that since those in *England* had murdered their King, notwithstanding their Commissioners protesting against it, it was not to be expected their interposition in other things could be of any weight; nor was it fit they should any more address to the Murderers of their Sovereign. So all hopes of any Mediation that way failed; and not only that, but *Lambert* being prevailed on by the offer of a good Sum, to claim the Duke as his Prisoner, some Letters came from *Scotland* about it, upon which *Lambert* was advis'd not to insist on that Demand. This was vouch'd to the Writer from several hands, who had it both from *Lambert* himself, and some other considerable men in the Two Houses.

These who had the power in *Scotland* refuse to move for him.

But now his Majesties Blood not having satisfied the Cruelty of the New Usurpers, their next design was against those who had served him faithfully; and therefore the Duke was brought to his Tryal, and honoured to be the first of those who followed his Master in that Glorious Martyrdom.

The Usurpers ordained the pretended Court of Justice to proceed against him: so in the 6<sup>th</sup> of *February*, he was brought to a Tryal. It will not be hard to persuade the Reader, without further inquiry, that those who embued their hands in the Blood of their Sovereign, thereby breaking loose from all Ties Sacred and Humane, could not stand much at the effusion of meaner Blood; no, their Consciences were seared with their former Crime, so that nothing could be so wicked but they were stout enough for attempting it: yet they chose to varnish over their perfidious Cruelty with some Colours and Appearances of Justice; but the Disguise was so thin, that it served them to no other purpose, but to add hypocrisie to their former Villany: which will evidently appear from the following Tryal, drawn partly from the Journal of the Court, and partly from Notes of what passed, taken by some Eye-witnesses. *Steel* and *Cook*, the Counsel for the People of *England*, did exhibit on the 6<sup>th</sup> of *February*, being *Friday*, the following Charge.

That the Earl of Cambridge about the 19<sup>th</sup> of July last, Traiterously invaded this Nation in a Hostile manner, and levied War to assist the King against the Kingdom and People of England, and had committed Sundry Murders, Outrages, Rapines, Wastes, and Spoiles, upon the said People; and particularly about the 20<sup>th</sup> of August, near *Preston* did make War, joyn Battle and fight against the Forces of the Parliament, and therein did murder, and kill Collonel *Thornley* and others.

The Charge given against him.

To this the Duke put in the Declinatour and special Plea following, intending at last to answer the Charge, if the Plea was not sufficient; having first told the Court, he was better known by another name

The Dukes Plea.

D d d

than



An. 1649. than the Earl of *Cambridge*. His Plea consisted of three Heads. First, he pleaded this his undertaking that Employment, was by Command of the Parliament, and Supreme Authority of the Kingdom of *Scotland*, for such ends as he conceived were good and justifiable, and in no way derogatory to the Peace and Happiness of these Dominions; That he did earnestly endeavour to decline it, but that not being accepted of, he could not disobey their Commands without incurring the severest Censures. Secondly, that he was born in *Scotland* before the Naturalization of his Father in *England*, therefore he conceived himself an *Alien*, and not triable in *England*. Thirdly, that he had rendered himself Prisoner upon Capitulation and Articles with those who had Major-General *Lamberts* Commission; and that by these, he was, first, a Prisoner of War; next his Life and the Safety of his Person was secured to him by the Articles, which were signed by the Commissioners of both sides, before he was their Prisoner, and that they could fasten neither a Breach, nor non-performance on him. Upon this the Counsel of the People caused the Act of his Fathers Naturalization to be read, & spake a little to aggravate and set out his Fact; but he desired a convenient time to procure Papers, Witnesses, and other Evidences material to his Plea, which he said was seldom denied to any in that condition; and it was well known to many there, how that since the beginning of this Parliament, many weeks were granted to an Eminent Man upon his Trial (by whom he meant the Earl of *Strafford*, who had time allowed him to send to *Ireland*.) The Court adjourned to the next day without giving him any satisfactory Answer. But the Dukes Carriage and Discourse that day gained much on all the Spectators, being so serene and calm that his very Enemies did applaud it.

The Second  
Appearance.

*Saturday* the 10<sup>th</sup> in the Evening his Grace was again brought to the Bar, and he desired Counsel which was granted; and it was referred to him, whether the Court or himself should name them, which he then passed over, and without much speaking on either side the Court adjourned, notice being given him that he must appear again on *Tuesday* the 13<sup>th</sup>; but no Order being issued forth for Counsel, some Counsel who were dealt with did decline the Employment.

The Third  
Appearance.

*Tuesday* the 13<sup>th</sup> his Grace being brought again to the Bar, desired a longer time, since notwithstanding serious means had been used, no Lawyer would be his Counsel without the Courts Orders. This was granted by the President after some Expostulation, and upon his Graces Nomination, Mr. *Chute*, Mr. *Hales*, Mr. *Parsons*, and Dr. *Walker* were assigned him for Counsel, to have free access to him, in the presence and hearing of some of his Keepers, and to be ready against *Thursday* following to maintain his Plea, upon which the Court adjourned till the 15<sup>th</sup>.

The Fourth  
Appearance.

*Thursday* the 15<sup>th</sup> his Grace being again brought before the Court, declared that their Order being offered to his Counsel, they all found themselves unable to plead for him, or to do what was otherwise fitting, and so had refused to come and speak with him at *St. James's*. The Court objected the time they had already granted, and alledged this was a meer delay: but his Grace protested it was true, and offered one of his Servants to attest it. Doctor *Walker* in Court declared, he would not be of his Counsel, by reason of his Employment under the Parliament. His Grace desired a convenient time as was usual in the like Cases, not only in respect of his Lawyers, but that

that he might send to *Scotland*, and other remote Places for Witnesses, *An. 1649.* and Evidences, necessary for his Defence; since no prejudice could come by that Delay, and this was denied to none in Tryal for Life, and had been granted to *Mac-Guire* and *Mac-Hun* two *Irish* Men. But for his Counsel the Court Ordained, that any of the Six he should name might be Authorized to advise with him in private, and to speak in Court in the matter of Law arising out of the Fact of the Plea, after the matter of Fact was handled, which his Grace was to maintain next *Saturday*. And for the Time he craved, they said, he looked on the unreasonable time was granted to *Strafford* and *Canterbury*, those grand Offenders, with whom he had been too familiar, as Precedents; but those were Precedents without a Precedent, and none were to expect the like at this time, especially since there were now so many Prisoners to be Tryed.

*Saturday* the 17<sup>th</sup> His Grace was brought to the Court with some Witnesses, his Counsel being neer, but not present; and in order to the Parts of his Plea, he first produced Duplicates of the Commission, and Orders from the Parliament of *Scotland* and Committee of Estates there. The Court demanded Evidence for both; his Grace answered, were time granted he would not only sufficiently prove these, but many other points belonging to his Justification: but the Court answered, that unless they were presently attested *viva voce*, they would not suffer them to be read. Whereupon his Grace desired that his Servant Mr. *Lewis* might be examined, whose Testimony was accepted, and the Papers he produced were received for Evidences and read. Next, the Declaration containing the ends of the Engagement was read, and being proved by the same Witness was left in Court, with the former Papers. Then the Court upon his Grace's desire produced the Original Articles of Capitulation, which were read; and Mr. *Cole* proved he saw them delivered to his Grace about nine in the Morning, before the Lord *Gray* came in. The Fifth Appearance.

The L. *Gray* deposed, That two several Summons, which were sent by him to his Grace to yield upon Mercy, were both answered negatively in respect of the Cessation and Treaty; That by a Letter from *Cromwell*, dated *Warrington August 20<sup>th</sup>*, he was enjoined to pursue the *Scottish* Forces with all vigour; That he had received Letters from the *Staffordshire*-Gentlemen with whom the Cessation begun, intimating that they had condescended to it, on purpose to gain a few days time to strengthen themselves, in regard the *Scots* were so numerous; and that he dispatched away *Wayte* and *Peters* that morning in which the Treaty ended to protest against it. Witnesses examined.

*Peters* was next examined, and answered, That going that morning to protest, by order from the Lord *Gray*, he came accidentally to the Duke, where he found the Hostages in his Chamber, and asked if he was willing to be the Lord *Gray's* Prisoner, who answered, he could not, in regard of the Treaty; but if he were afterwards to be disposed of, he had rather be his Lordships Prisoner than any others, being of his acquaintance; That he had seen the Summons, and the negative Answer to them; That this was about five in the Morning; and that *Wayte* and he went apart of the way towards the place of Treaty, where he heard the Articles were concluded.

*Lilburn* was next examined, who deposed, That the Articles were signed

An. 1649. signed by himself, and the other Treaties, about five in the morning, and were to be ratified by the Duke and Lambert; and that his own meaning of Preserving the Dukes Life (he knew not how the rest meant) was only to preserve him from the violence of the Souldiers, and not from the Justice of the Parliament. At this *Peters* rose up, expressing great dislike of *Lilburn's* Gloss, saying, that much tenderness was to be used where the Life of so eminent a person was concerned; That he had seen many Articles of War, but had never heard of such ambiguity, and that it was clear by those Articles the Duke held his Life secured, as well from the Parliament as the Souldiers; and wished to God that if their Commissioners had meant otherwise, it had been so expressed in the Articles, it being most necessary that Articles were in a concernment of Life. The President answered, *You say well for the future, but it is now too late.*

His Grace resumed what had been said, and spoke much on the Articles for weakening *Lilburn's* Gloss.

The Duke is  
falsly accused  
by the Go-  
vernour of  
*Windsor-Castle.*

Next the Governour and Marshall of *Windsor* were examined about his Escape from *Windsor-Castle*: the Governour deposed, that the Duke said to him he needed not fear his Escape, he would be a true Prisoner, and not go away though the Gates were opened. The Marshall said, he only heard this from the Governour.

The Duke expressed a deep resentment of this Injury done him by the Governour, who wounded his Honour so much, which he valued above all earthly things: and did shew how unlike it was that any such thing was either demanded, or granted, since that is only done for a little more Liberty, whereas he was all the while kept under strict Guards; nor had he the liberty of walking in the Park, but was always guarded by two Keepers, the one lying all night in the Room next him, and the other every night locking the Door, and carrying the Key with him; That the Governours Testimony in this matter was not to be received, he being a Party, and now in hazard for his negligence, for he was told that if he escaped, he should die for it: adding, that if he were not a Prisoner, he would desire right of the Governour for that Scandal cast on him, and choose no other place for it but *Westminster-Hall*. But to all this the Governour made no Reply; only the President said, that though he could not blame the Earl of *Cambridge* for what he said, yet for all that the Governour was not to be discredited.

The Duke  
pleads for  
himself from  
the Articles  
granted him.

After this the Duke spake a little to all the three Branches of his Plea, reserving the fuller enlarging upon them to his Counsel. He insisted most on the Articles, which he doubted not were sufficient to protect him; he desired them to consider, how Sacred Articles of War were reputed in all Places, and among all Nations, and how inviolably they were kept, all Princes and States being most careful to observe them, not only to Strangers, but to Subjects; having great regard to Articles, though only for Quarter, much more when there was a Capitulation for Life, adding the following Instances. *Elisha* the Prophet would not suffer the King of *Israel* to kill the *Syrian* Captains, saying, *Wouldst thou smite those whom thou hast taken Captive with thy Sword and thy Bow?* The Blood of *Abner* lay on *Joab's* head, who killed one that had the Kings Safe-conduct. The *Gibeonites* also, though they used *Joshua* deceitfully, yet were preserved according to the Ar-  
ticles



ticles given them; and not only *Saul's House*, but the whole Land *An. 1649.* suffered for the violation of them. That Prince *Robert* and the Lord *Cottington*, though excepted from Life or Pardon by Act of Parliament, were notwithstanding that, upon the Articles of the Rendition of *Oxford*, permitted to go beyond Sea, and never questioned for Life; and the like Justice was done the Earl of *Bristol* and the Lord *Paulet*, upon the Articles of the Surrender of *Exeter*, though both were excepted from Pardon; and that the Lord *Fairfax* and the Officers of the Army were most careful to see Articles always kept, in which they judged their Honour deeply concerned, and had often written to the Parliament to that end: therefore he did not doubt the like Justice would be done him. By this time it was late, and the President appointed *Monday* next for the Duke to finish his Plea in matter of Fact, ordering his Counsel to be in the Court for their better Information; and so they adjourned.

*Monday* the 19<sup>th</sup> the Duke and his Counsel were brought to the Bar. The sixth Appearance. Colonel *Wayte* was examined, who deposed, that the Duke rendered himself to be the Lord *Gray's* Prisoner, and desired *Wayte* to protect him from the Multitude, who thereupon left a Guard at his going away. But during his Deposition *Peters* said, *he lies, he lies*; and *Peters, Spencer*, and other Officers who were with *Wayte* at *Utoxeter*, being examined, did totally falsifie his Deposition. Divers were also that day examined about the place of the Duke's Birth, who all swore, they heard it always said that he was born at *Hamilton*, and that it was not a thing to be doubted of: others were examined about the Signing of the Articles, who all Witnessed, that they were signed long before the Lord *Gray* came; and Major *Blackmore* deposed, that the Duke's being the Lord *Gray's* Prisoner, was by an Agreement betwixt him and *Lambert*, whose occasions pressed him to go suddenly North-ward.

After this the Duke spake a little, to shew how little weight was to be laid on *Wayt's* Testimony, which was so evidently disproved. Next his Counsel asked the Courts Directions, how they should proceed; and the Court answered, that after the matter of Fact was handled, they might plead in Law upon all the parts of the Plea: and they told the Duke by the next *Wednesday* to finish his Evidence.

He desired a Warrant for bringing some Gentlemen, then Prisoners in *White-hall*, who were his material Witnesses: but the Court adjourned, and promised to consider of that Motion in the Painted Chamber; yet they granted it not.

*Wednesday* the 21<sup>st</sup> the Court sate, and the Duke was brought to the Bar. The seventh Appearance. Some were interrogated about the time of his Birth, to prove him *post-natus*: but it was not proved, one person only swearing, that he heard him say he was some years younger than the King. Evidence was also brought of his Conjunction with *Langdale*, which they accounted Treason; yet even that was not clearly proved, though it was much laboured. Some Letters of his to *Langdale* had been taken, and were brought into Court: but as the Letters proved no Conjunction, so it did not appear that they were his Letters: only *Peters* asserted they were like his hand. Then a Vote of the Two Houses was read, repealing a former Vote of setting an hundred thousand pounds Sterling upon him for Ransome; and proof was brought, that notwithstanding Articles were given, yet some had been forced to take the

Nega-

An. 1649. Negative Oath, and thereby they studied to evince that the Parliament did not hold themselves bound to stand to Articles.

After this his Grace resumed the substance of all those Evidences, and shewed that it was not proved he was a *post-natus*, nor that he joyned with Sir *Marmaduke Langdale*, who neither received Orders nor the Word from him, but marched and quartered apart; and that though he had done otherwise, it could not be criminal in him, since he had no Orders to the contrary from the Parliament of *Scotland*, but was commanded by them to joyn with all who would concur with him for prosecuting the ends of the Engagement, of which Sir *Marmaduke* approving, he had no reason to refuse Concurrence with him; neither could this be made Treason by the Law of *England*: of all which it seemed the Parliament was once well-satisfied, since by a Vote they had fined him in an hundred thousand pound Sterling, as the price of his Liberty; by which it appeared they look'd not on him as a Traytor, but as an Enemy who had Life granted him by Articles.

The eighth  
Appearance.

Upon this the Court adjourn'd till *Thursday* the 22<sup>d</sup>, and his Counsel were appointed to plead, and he was to close his Evidence. The Duke was brought to the Bar, and by divers Witnesses it was proved, that there was no Rendition made to the Lord *Gray*, but a plain Refusal, and that the Treaty was ended, the Articles signed, and *Lambert* come up, before the Lord *Gray* came thither. There was also produced an Order of Parliament, made four years before, that No Quarters should be given to any of the *Irish* in Arms, which inferred that others might have them; and another Order was read of the 14<sup>th</sup> *July* last, declaring all the *Scots* who entred *England* Enemies, and all the *English* and *Irish* who assisted them Traytors, and with this he closed his Evidence: and since he was not to be suffered to speak any more, he enlarged on all the parts of his Plea, and spake at length as follows.

The Duke  
pleads largely  
for himself.

That he was sent by the Kingdom of *Scotland*, which was a free Kingdom, and independent on *England*; That he having had his Birth, Honour, and Fortune there, was bound to give obedience to their Orders; That for himself he had lived much out of business, and was seldom in Publick Trust in that Kingdom, nor very desirous of any; but that being commanded to undertake the Charge of General, for ends which he conceived lawful, and no way contrary to the Peace or Interest of *England*, he was obliged to follow their Orders; and that by some Papers emitted by the Parliament of *England* against that Expedition, they declared they looked on it as a National Breach, whereby *Scotland* had violated their Leagues and Treaties with them, so that it was no private Act of his; That the entering of the *Scotish* Army into *England* Anno 1640 was accounted no Invasion, nor Treason, but on the contrary was acceptable to this Kingdom, which gave a Brotherly Assistance for it: and that the late unfortunate Army was designed fully for as good Ends, and would have been so looked on had it prospered. And for his joyning with Sir *Marmaduke Langdale*, he answered it as was before set down. Therefore he being taken Prisoner in such a War, he conceived it without a Precedent that he should be Tried for his Life, for serving his Native Kingdom in an open War. As for his being an Alien, he referred that to his Counsel, but said it was undeniable he was born in *Scotland*, nor was he proved a *post-natus*; he

he was also born before his Father's Naturalization, and so not included in it, and his own Naturalization had been in agitation in the beginning of this Parliament: That his sitting in Parliament did not conclude him an *English* Earl, for if questioned, he might probably have been expelled out of the House of Peers, as his Countryman Mr. *Walter Stuart* was out of the House of Commons: and that his being an Earl did not naturalize him, that being the King's single Act, whereas Naturalization was only by Act of Parliament. As for the Articles, it was clear, that *Lambert* being a General Officer, commissioned by Parliament, was impowered to Capitulate both by the Parliament and by *Cromwel*, the *L. Gray* having no Authority from the Parliament, but only from *Cromwel*'s Letter: that he became the Lord *Gray*'s Prisoner only by *Lambert*'s Order, and that he made no Surrender till the Articles were signed and delivered: that though the Lord *Gray* had protested against it, (and yet only an intention to do it was proved) he was not concerned in it, nor bound to take notice of it, *Lambert* being the Parliaments Officer, and sent against him by them. That Articles were to be expounded by their plain meaning, and not by any mental reserves pretended by the Commissioners; That by the first Article, he was a Prisoner of War, and that it was seldom known that the Life of any such was taken; and that by the second Article, Life and Safety of Person were expressly secured without any exception: That if Articles were now violated, it would make the sequel of the Wars, if any more followed, a down-right Butchery, since none would any more trust to a Capitulation, which Mischiefe he prayed God to avert. That his Escape out of Prison was no Breach, he being only bound by the Articles to deliver himself Prisoner, which he did, but not to continue so: and he concluded, that he was confident, had he no better Plea, his Articles were sufficient, according to the Laws of all Nations, to preserve his Life.

Then the President asked him, if he had any thing to say as he was Earl of *Cambridge*: whereupon he and his Counsel moved, that if what he had said and proved was not satisfactory for the Averment of his Plea, he might answer the Charge exhibited, which he had not yet done. But to this, neither the Court, nor their Counsel would yield, though they gave no reason for it, save only that it implied a desire of Delay: but the reason, as was said, was, that they knew had they yielded to that the Charge had been overthrown, since the Law of *England* does not admit that to be Treason which they charged on him, that he had assisted the King against the Kingdom and People by levying War. Then the Court told his Counsel, that *Saturday* was the longest time they allowed them for performing their part: but the Counsel answered, that it was impossible for them to undertake it, and discharge their Consciences to their Client, having so short a time allowed them; there being a necessity of searching divers Records for Precedents, which required a competent time, as had been allowed in former cases: but the Court refused to promise it, only they said they would take it into their consideration. The Counsel insisted, and said plainly, they declined the Employment on those terms, and would be forced to declare it.

*Monday* the 26<sup>th</sup> the other two Officers that had signed the Capitulation for the Duke and his Troops, who had been sent for a great way off, were examined, who agreed with the former Witnesses in matters

The ninth  
Appearance.

of



An. 1649. of Fact, and also with *Lilburn*, that by signing the Articles, they only meant the Duke should be preserved from the Violence of the Souldiers, and not from the Justice of the Parliament. Then the Counsel began to Plead, and all four spoke on the several Heads of the Plea. Mr. *Heron* spoke cursorily and elegantly, but not very materially : Mr. *Parsons*, a young man, spoke boldly, and to good purpose : Mr. *Chute* the *Civilian* spoke learnedly and home : and Mr. *Hales* (since the much-renowned Lord Chief Justice of the Kings Bench ) elaborately and at length. The Heads of their Arguments follow.

The Duke's  
Counsel at Law  
plead for him.

The Duke being, as was granted, a born *Scotch-man*, his Tie of obligation and subjection to that Kingdom, was indispensable and indissoluble, so that his late Employment could not be refused when laid on him by the Authority of that Kingdom ; no more than a Native of *England*, living in it, can disobey the Commands of this Parliament ; whereas any Subjection the Duke owed the Parliament of *England* was only acquired, and dispensable : That since no man can be a Subject of two Kingdoms, whatever Tie lay on him to the Kingdom of *England*, it was not to be put in Competition with what he owed *Scotland*, it being a Maxim in Law, that *Major relatio trahit ad se minorem*, and that *Jus Originis nemo mutare potest* : That there was an Allegiance due to the King and another to the Kingdom, and no Treason could be without a Breach of Faith and Allegiance due to them against whom it was committed, for these Kingdoms were two distinct Kingdoms ; and though the Allegiance due to the King was the same in both Kingdoms, yet that due to the Kingdoms was distinct : nor was the Actual administration of the Kingdoms in the Kings Person when the Duke got his Employment ; therefore, as his Allegiance to the Kingdom of *Scotland* was ancients and stronger than any Tie that lay on him in *England*, so what he did by their Order might well make him an Enemy to this Kingdom, but could not infer Treason. Yet all this of the Allegiance due to the Kingdom was founded on no Common or Statute Law, as Mr. *Hales* himself confessed afterwards : but he urged this well against those who asserted it, it being the universally received Maxim at that time.

That whether he was a *Post-natus*, or *Ante-natus* did not appear : but though he were, it did not vary the Case, nor his obligation to the place of his Nativity ; and so though he were *Post-natus*, or accounted a Denizen by his Fathers Naturalization, his Offence could not be Treason, but Hostility at most, and by that supposed Hostility, he could only lose his Privilege of a Denizen, but could not be made a Traitor, there being no Precedent where ever any man was attainted of Treason for a hostile Invasion, and it was questionable if this Offence could amount to that : nor could any case be alledged, where one born in another Independent Kingdome, acting by a Commission from that Kingdom, and residing there when he received his Commission, and raising the Body of his Army in that Kingdom, and coming into this, in an Open Hostile manner, was ever judged guilty of Treason. Naturalization was intended to be a Benefit, and not a Snare, so that one might well lose it, but was not to be punished for it. And so when *France* and *England* were under one Sovereign, divers of both Nations were naturalized in the other ; yet when Hostility broke out betwixt them, many so naturalized fought on the side of their Native Kingdom, for which none were put to death, though divers were taken

ken Prisoners. And in *Edward* the third's time, though he claimed *An. 1649.*  
*France* as his by Right; yet when the Constable of *France* invaded *Eng-*  
*land*, and was taken Prisoner, he was not tried, nor put to death, but  
 sent back to *France*, as being a Native of that Kingdom. And when  
*David Bruce* King of *Scotland* invaded this Kingdom, and was taken  
 Prisoner, great endeavours were used to find a Legal ground for his  
 Trial, he being Earl of *Huntington* in *England*; but this Plea was waved,  
 for it was found that it could not be done justly, that being but a less de-  
 gree of Honour, though King *Edward* claimed a kind of Homage from  
 the Crown of *Scotland*. That if the Duke were on that account  
 put to death, it might prove of sad consequence, in case there was  
 War any more betwixt the Kingdoms; since most of the present Ge-  
 neration were *Post-nati*, and all would be so quickly; and yet if the  
 Lord *Fairfax*, who was both a *Post-natus*, and had his Honour in *Scot-*  
*land*, were commanded to lead an Army thither, and being taken were  
 put to death, it would be thought hard measure. For the Duke's Fa-  
 ther's Naturalization, it was true, by the Statute of the 25 *Ed. 3.* provi-  
 sion was made, that Children born without the Kingdom, whose Parents  
 were then in the King's Allegiance, should be Denizens: but the Duke  
 was born before his Father's Naturalization, which can never reach him,  
 none but the Issue after his Father's Naturalization being included with-  
 in it; and the word *Heres* in the Act is only a word of Limitation, and  
 not of Creation: nor did his making use of the assistance of some *English*  
 Forces make him a Traytor. It is true, if an *Englishman* conduct a Fo-  
 reign Army, or if a Foreigner come of his own head, or in a Rebellious  
 way, to assist an *English* Rebellion, it will amount to Treason: for the  
 Act of such an Alien is denominated from the crime of those he assists here,  
 where he owed a local Obedience, which was the Case of *Shirley* the  
*Frenchman*, and of *Lopez*: but if an Alien come with a Foreign Force,  
 though he make use of *English* Auxiliaries, that only infers a Hostility,  
 but no Treason; and was the case of the Lord *Harris* a *Scotchman*  
 15 *Eliz.* and of *Perkin Warbeck*, both having *English* help: and though  
*Warbeck* was put to death, it was by no Civil Judicatory, but only by  
 the Will of *Henry* the 7<sup>th</sup>, who erected a Court-Marshall for that pur-  
 pose. The present case was yet clearer, where the Alien had Authority  
 from his Native Kingdom, and was commanded by them to make use of  
*English* help: so that though *Langdale's* assisting the Duke did make  
 himself a Traytor, yet the Duke's accepting of it only infers an Act of  
 Hostility. And whereas it was objected, that the Parliament had al-  
 ready by their Act which constituted this Court for his Trial, declared  
 him a Traytor; it was not to be disputed what the Parliament had Pow-  
 er to do, but no Parliament had ever done the like before: and the  
 meaning of the Act must be, that he should be tried whether guilty of  
 Treason or not, since if the Parliament have already declared him a  
 Traytor, further Trial was needless. And it was clear, the Parliament  
 by their Act in *July* last, which declared all the *Scots* who entred *Eng-*  
*land*, Enemies, considered not the distinction of *Post-nati*, nor judged  
 that inferred Treason, since most of them all were *Post-nati*; That many  
 of the Officers of that Army, who had been taken Prisoners, though  
 clearly *Post-nati*, were ransomed, others banished, others still in Prison;  
 why then should the imputation of Treason be fastned on the Duke  
 when the rest were used only as Enemies?

An. 1649. And for the Articles they made it appear, they were the Publick Faith of the Kingdom, when given by persons publicly Authorized, upon the observing of which inviolably, depended the whole Inter-course of all Nations, and their mutual Confidence, which is founded on all States being bound by the Acts of their Publick Ministers; That this was not a pure Rendition, but a Paction concluded upon Deliberation, wherein the Parliament lost nothing, but on the contrary were Gainers; That the Parliament had ratified this upon the matter, by Voting a hundred thousand pound Sterling Fine to be the price of the Dukes Liberty; That the secret sence the Treaters pretended was not to be considered; since all Compacts are to be understood according to the clear meaning of the Words, & the universal sence of Mankind, who look on Articles wherein Life is granted as a sufficient Security, not only from the Souldiers, but from the Civil Powers; and that these Treaters, when the Articles were agreed, should have made known their secret meaning, otherwise it was not to be regarded: and it was a most dangerous Precedent to admit of collateral Averments of secret meanings against expresse words, much more in a Case of Life, and yet much more in Military Agreements, wherein the Concernments of Armies and Nations were included, and which concerned the Honour and Security of all Souldiers; and for this divers Precedents were cited. The Argument ended thus; That as the Court consisted of Gentlemen & Lawyers, and of Martial men; so the Plea consisting of three Branches, was the more proper for their cognizance, a part of it being drawn from the Law of England, another part from the Civil Law, and a Third part from the Martial Law: and if the Plea, in any of the three Branches, was made good (and they doubted not but it would be found so in them all) the Court would be satisfied, there was Reason & Justice for preserving the Dukes life.

The Tenth  
Appearance.

The Court adjourned till Friday the second of March, and the Duke being again brought to the Bar, the Counsel for the People pleaded, but so poorly that all who heard them were ashamed: But they had one advantage, that neither the Duke nor his Counsel were allowed to speak after them, nor to discover their impertinent Allegations, which made the Dukes Counsel obviate all they could imagine they might say, though they said a great deal so far out of the way of Reason, that none could have thought of it; and yet it was so weak that it needed neither be obviated, nor replied to.

Yet at the end of every Branch of their Pleading, I shall add the Answers against them, as they are set down in some Notes taken by the Dukes Counsel.

The Counsel  
for the Peo-  
ple plead a-  
gainst the  
Duke.

They begun with *Alienage*, and studied to make it appear, that though he was a *Scotchman* born, yet he was no Alien, having enjoyed all the Priviledges an *Englishman* was capable of, as being a Peer, a Privy-Councillour, possessing Lands and Inheritances, and Marrying in England. But *Naturalization cannot be but by Act of Parliament, and not by the Kings single Deed; much less by those Priviledges of which any Stranger might participate.*

Next they urged his Fathers Naturalization, and since his Name was not in that Act, as was in other Acts of Naturalization, that proved him to be no Alien, otherwise his Name had been put in. *From that it rather appeared he was an Alien, since others found it necessary to insert their Childrens Names, which his Father not doing, proves the Son an Alien still.*

They



They also urged his being *Post-natus*, which must be held true, *An. 1649.* since he brought no Evidence to the contrary; and it being so, his Tie of subjection was as great in *England* as in *Scotland*: That Allegiance was only due to the King, and not to the Kingdom: That there was a King when he entred into *England*, and that though he was secluded from the Government, yet all Writs were issued in his Name, so that this Expedition was a breach of the Allegiance he owed the King. *This was the oddest part of all their Plea, since his Charge was, that he assisted the King against the Kingdom; and now they did plead he owed no Allegiance to the Kingdom, but to the King, whom they had so lately murdered, the Dukes coming with his Army being only to relieve him from the Barbarous Usage he had met with.*

They also urged at large, That an *Englishman's* Children in what place of the World soever they were born, were Denizens of *England*, and cited many Precedents. *But the Mis-application of them was gross and palpable, those being of Persons who were Englishmen before their Children were born, whereas the Duke's Father was naturalized after he was born: so that he could not communicate that Privilege to him, which he did indeed transmit to his Children born after his Naturalization.*

Next, they pleaded, that the Parliament of *Scotland* had no power to commissionate him to enter into *England*, and that if some of them were there, they ought likewise to suffer for it, and it was fit he suffered for his Masters, who employed him; That it was pitty the King had not suffered sooner. They also produced many Precedents of Strangers being condemned as guilty of Treason, for Treasons committed in *England*, as the Queen of Scots, Lopez, Perkin Warbeck, the Lord Harris, Shirley the Frenchman, and the Spanish Ambassadour. *All this was obviated in the former Argument, where distinction was made betwixt secret Practices, and an open Invasion with a foreign Force.* They added, That *Scotland* belonged to the Crown of *England*, and so was to be look't on as some of the Counties of *England*. *But Scotland had no subjection to the Crown, but only to the King of England, whom they had murdered, and so they had no Power to judge any Scotchman.*

As for the Articles, they pleaded it was not in the Power of the Army to absolve any from the Justice of the Parliament, which being above them, was not tied to their Articles: and therefore, though they confessed the words ought to have been less ambiguous, yet they said, the Exposition of those who Signed them was to be admitted, since every man was to be the Expounder of his own words; and pleaded some Precedents about the Exposition of ambiguous words. *But the words here were plain and not ambiguous, only a treacherous Equivocation was invented to break them.*

Cook by a strange subtilty said, The Articles only secured his Life during Imprisonment, so that his breaking of Prison, and being re-taken, put an end to the Obligation of the Articles: *Though he broke not his Prison, but went out at Door and Gate, which was no Crime.*

Thus did the Counsel of the People plead against him, to the conviction of all who looked on, that they thirsted for his Blood, and were only seeking colours of Justice for it: which yet were so slight that they could serve for no Disguise, but only to abuse those who were blinded with Prejudice.

An. 1649.

The last Ap-  
pearance, in  
which Sen-  
tence was gi-  
ven.

The Court adjourned to *Tuesday* being the sixth of *March*: And then the Duke was brought to the Bar, and the Judges sate in Scarlet; they rejected the Dukes Plea in all its Branches, and found him guilty of the Charge whereof he was indicted. But before Sentence, *Bradshaw* the President resumed all, and spoke long for aggravating of every particular, justifying every thing their Counsel had pleaded, as if it had been all both good Law and good Reason: then he caused read the Earl of *Essex* his Commission, to shew how little Power was given him: (*But spoke nothing of Fairfax or Lambert their Commissions, which had been more pertinent, but the reason was they were, ampler; and yet the Parliament had never refused to ratifie any Articles Essex gave.*) He confessed the Dukes Articles were fuller than any others, therefore he would insist the more to invalidate them. He said, It was true, if there had been a War proclaimed, and prosecuted betwixt a Foreign Nation and Enemy, and *England*, then by the Law of Nations, to which their Law was consonant, Articles signed by the Commissioners of both Parties should have been kept inviolable: but the Prisoner was no Enemy, for when the ordinary Course of Justice was obstructed by the late Kings prevailing Party, so that neither Constables nor Sheriffs, nor other Civil Officers, could lay hold on such Delinquents as he was, or bring them to Punishment, the Parliament was forced to raise an Army, Commissionating their Generals to bring such to condign Punishment. This being the end and substance of their Commission, it was not in their Power, who were but the Sword of Justice in the Parliaments hand, to give Articles for securing any, from the Justice of the Parliament, since it was never intended their Acts should limit that Power that gave bounds to them. He added also, that the Court was fully satisfied, that the Duke was naturalized. The President laid out also the Case of the other Prisoners then at the Bar, and spoke many hours; at last Sentence was given against them all, *That their Heads should be severed from their Bodies on Friday next being the ninth Instant*: yet it was remitted to the Parliaments Consideration, what Mercy should be shewed to any of them, and so the Duke was carried back.

The rest of that day, and the next day, the Duke was earnestly solicited to preserve himself by making Discoveries. And Mr. *Peters* who appeared concerned for him during his Tryal, did now insinuate himself on him to draw somewhat from him: but all was in vain, there being no choice to be made betwixt a Glorious Death; and an Infamous Life.

On the Eighth of that Month, it being put to the Vote of the House, whether he should be Reprieved or not, it was carried in the Negative.

The Duke  
prepares for  
Death.

That day the Duke spent in fitting himself for Death by Prayers and Spiritual Conferences, and that he might discharge himself of all worldly Cares, he wrote the following Letter to his Brother.

Dear

An. 1649.

Dear Brother,

*S*ince it hath pleased God so to dispose of me, that I am to be in this World but a few hours, you cannot expect that I can say much to you; nor indeed is it necessary, for I know you will do undesired (as far as is in your Power) what I now briefly mention. First, That you will be a Father to my poor Children, and that they be not forced to marry against their Wills. The Debts I owe are great, and some Friends are bound for them; but the Estate I leave you is such as will satisfy what I owe, and free my Cautioners from Ruin. You are Just, and I doubt not of your performing this. I cannot forget to recommend my faithful Servants to you, who have never had any thing from me, in particular, Cole, Lewis, and James Hamilton. I have given something to them during their Lives, which I hope you will see payed to them. I shall say no more, but the Lord of his Mercy preserve you, and give you Grace to apply your self aright to him, in whom there is only fulness of Joy. Dote not upon the World; all is but vanity and vexation of spirit: grieve not for what is befallen me, for it is by the appointment of him that rules in Earth and Heaven: thither the Lord Jesus be pleased to carry the sinful Soul of

and writes to his Brother,

March 8<sup>th</sup>, 1649.

Your most loving Brother,

HAMILTON.

At night, the Duke, the Earl of *Norwich*, the Lord *Capel*, and Sir *John Owen*, were all brought to one Room, where they lay all night: it was very late before they went to Bed, every one having his Friends to wait on him. The Duke's Servants ask'd leave to stay all night in the next Room, and it was granted, the Duke ordered Mr. *Cole* to come to him about three a clock in the morning, which he did; but he with the rest were all fast asleep, and Mr. *Cole* returning after half an hour found him awake. He made him sit down, and gave him many Directions to be carried to his Brother, with an extraordinary composure, as Mr. *Cole* vouched to the Writer. About five a clock all of them were ready, and spent the time very devoutly, in secret Prayers and pious Conferences, and other holy Exercises, all of them expressing great Joy in their present Condition, and absolute Submission to the Will of God. The Duke expressed his more particularly in the following Letter he wrote to his Daughters.

My most dear Children,

*I*T hath pleased God so to dispose of me, as I am immediately to part with this miserable Life for a better; so that I cannot take that care of you which I both ought and would, if it had pleased my Gracious Creator to have given me longer days: but his will be done, and I with alacrity submit to it, desiring you to do so, and that above all things you apply your Hearts to seek him, to fear, serve, and love him, and then doubt not but he will be a loving Father to you while you are on Earth, and thereafter Crown you with eternal

and to his Children.



An. 1649. eternal Happiness. Time will permit me to say no more, so the Lord bless,  
 guide, and preserve you, which is the Prayer of

St. James's 9<sup>th</sup> March  
 1649.

Your most loving Father,

HAMILTON.

*Let this remember me to my dear Sisters, Brothers, and other Friends,  
 for it is all I write.*

He did also apprehend, that they might either be hindred to speak their Consciences freely on the Scaffold, or that the noise and disorder there might make him be ill-heard, or perhaps occasion disorder from the Souldiers, which might provoke Passion or Discomposure; and therefore delivered the following Speech before all in the Room, which his Brother published from the Original he sent him.

His Speech  
 before his  
 Death.

"I Know you that are here to be true and faithful to me, I will therefore in your hearing say somewhat in order to my self, and to my present Condition, and give you also this Copy of it, which after I am gone may perhaps be thought necessary to be published, as the last Testimony of my Loyalty to my King, for whom I now die, and of my Affection to my Country, for the pursuance of whose pious and loyal Commands I am now to suffer.

"That my Religion hath always been and still is Orthodox, I am confident no man doubts; I shall not therefore need to say much to that particular, only that I am of the true Reformed Protestant Religion, as it is professed in the Church of Scotland.

"I take God to witness, that I have been constantly a loyal and faithful Subject and Servant to his late Majesty, (in spite of all Malice and Calumny: ) I have had the honour, since my Child-hood to attend and be near him, till now of late: and during all that time I observed in him as eminent Virtues, and as little Vice, as in any man I ever knew; and I dare say he never harboured thought of countenancing Popery in any of his Dominions, otherwise than was allowed by the Laws of England, and that among all his Subjects there could not be found a better Protestant than himself; and surely also he was free from having any intent to exercise any Tyranny or Absolute Power over his Subjects: and that he hath been so unfortunate, I rather impute the Cause of it to the sins of his People than to his own.

"For my own part, I do protest never to have swerved from that true Allegiance which was due to him, and that hath constantly been payed (to my Comfort I speak it) to his Progenitors by my Ancestors, for many Ages, without spot or dishonour, and I hope shall be still by my Successors to his Posterity.

"I do heartily wish well to and pray for his Royal Issue, and shall die a true and loyal Subject to his eldest Son Charles the Second, the unquestionable King by right of all his Father's Kingdoms. I hope (though I do not live to see it) that God's Justice and Goodness will in his own time establish him on the Throne of his Father, which I doubt not some of you will see come to pass; and I am confident,  
 till

"till then, and so long as men deeply plung'd in Guilt and Self-interest *An. 1649.*  
 "usurp Power and Government, these Kingdoms will fall short either  
 "of Peace, or any other permanent Happiness.

"I speak this from my just Affection to the Royal Race, and much  
 "Compassion to his Majesties Subjects; but not from any Malice, An-  
 "ger, or desire of Revenge, against any, for what I have, or am to suffer;  
 "for I forgive all men.

"It is well known what Calumnies and Aspersions have been thrown  
 "upon me, by men of several Parties and Interests, not excepting those  
 "who would seem to carry much Affection to his late Majesty, as if I  
 "had expressed Disservice or Disloyalty unto him; the which how  
 "malicious and groundless they were, I appeal to God, who with my  
 "own Conscience clearly beareth witness of my Innocency therein; and  
 "I shall beg Mercy from him, to whom I am now to give an account of  
 "all my Thoughts and Actions, as I have still had a faithful and loyal  
 "Heart to my Master.

"It hath been a General Complaint, that I perswaded His Majesty to  
 "pass the Act of continuing this Parliament. I dispute not, whether  
 "the doing of it at that time might have been reputed good or bad, but  
 "surely it was not I that did perswade it.

"Neither did I at all deal with His Majesty for his Consent to the  
 "Bill of Attainder for taking away the Life of the Earl of *Strafford*,  
 "whose great Parts and Affection, 'tis known I highly valued: yet  
 "some have been pleased to attribute to me the cause of that Concessi-  
 "on; but were His Majesty now living, I am confident he would pub-  
 "lickly clear me in both these, as He hath been pleased many times in  
 "private formerly to do.

"And truly I am not conscious to my self ( though I have been for  
 "many years a Privy-Councillour to him ) of ever giving him any Ad-  
 "vice that tended to other ends ( as I conceived ) than the Good and  
 "Peace of His Majesty and His Dominions.

"It hath been rumoured since my last Imprisonment, that I should  
 "confess my self to be the greatest Instrument under His Majesty ( by  
 "making use of his *Scotish* Great Seal ) for authorizing the War in  
 "*Ireland*: a Report so false and simple, as in my opinion judicious and  
 "honest men will not believe it. And truly as I am free from having  
 "hand therein in any manner of way, so I am of nothing more confi-  
 "dent, than that His Majesty was also absolutely free thereof, and that  
 "he was not in any case a Caufer or Countenancer of those *Irish*  
 "Troubles.

"I have been often examined touching Persons of several qualities  
 "within this Kingdom, that ( as is supposed ) did invite into *England*  
 "the late Army from *Scotland*, or promised Assistance after their com-  
 "ing; and of late much Perswasion hath been used with me to that  
 "purpose, as that upon my Discovery thereof depended the only means  
 "of my Preservation. I will not say that I had any thing to reveal  
 "which would have been satisfactory, but this I desire you to attest to  
 "the World, that I have not accused or said any thing that may reflect  
 "on any man, of what degree soever, within the Kings Dominions:  
 "and indeed it was so contrary to my Conscience, and so deroga-  
 "tory to my Honour, that if I had been able, yet should I never  
 "have prejudiced any in that nature, though it had been to save me a  
 "hundred Lives.

"Touch-

An. 1649.

“Touching that foul and senseless Slander, that I betray’d the Army under my Conduct, the care and pains I then took to prevent the loss of it, and the near approach of my suffering for it, will, I suppose, abundantly contradict this Aspersion. I was satisfied with the Justness and Necessity of that Engagement, upon the grounds of the Declaration of the Parliament of *Scotland*, fearing then the sad Confusions which have since followed here, both in Church and State; and particularly the fatal Fall of my Master, to the Preservation of whose Person I was by Obligation, and Natural Affections as passionately tied, as I could be by Duty and Allegiance.

“And now I confess, I am void of all rancour or displeasure against any, though I am within few hours to die, adjudged by a lawless and arbitrary Court, of purpose erected (as is said) to destroy my Master and some of his Servants, and for a great part composed of men Mechanick, and unfit to be Judges, my Death being decreed (right or wrong) as is reported, before ever the Trial begun. And though my Death is no less than Murder, yet I forgive all, and pray to God to do it, and that my Blood be not laid to their Charge, or to some powerful and eminent mens, who, as is thought, upon some sinistrous Ends have many Months since contrived my Destruction, which now is ready to take effect.

“And though I have answered to that Court, in regard of the Justness of my Defence, which I thought would have weighed with them: yet I never thought, nor do I acknowledge any Jurisdiction or lawful Authority in the same, notwithstanding I do with all Christian Humility submit to the Punishment, which for my other Personal Sins the Lord hath justly brought upon me.

“I should have spoken more, yet would not have said so much, but for fear lest either my Memory might slip it on the Scaffold, or that the rudeness of some People, by noise or otherwise, might have interrupted me speaking on this Subject. So I thank God I am well prepared. God bless you, remember me to all my Friends.

“I know I have been a great Sinner, yet through Faith I have an assurance, that God will forgive me, and have Mercy upon me, through the alone Suffering and Intercession of Jesus Christ my Saviour. *Amen.*

The Duke is  
led out to the  
Execution.

About nine a clock the Officers called to them to prepare themselves to go: they were to be carried in Sedans, and great Guards of Horse and Foot to attend them to Sir *Robert Cotton's* House. But after the Duke had gone through two Rooms, he reflecting on the faithful Services of Mr. *Cole*, and judging they deserved a more particular Remembrance than was in the Letter he had written to his Brother the day before, called for Pen, Ink, and Paper, and wrote the following Note to his Brother.

Brother,

There is nothing more certain than that a faithful Servant is an humble Friend: this Bearer I have found such, and therefore recommend him to you in that quality. I need say no more for him, nor can I of worldly business, being so near parting out of it; but as I have loved you all my life, so I do now at the end of it. The Lord of his mercy preserve you from dangers of Soul and Body.

Yours,

H

This



This will more clearly discover the serene and composed Temper he *An. 1649.* was then in, than can be done by any Testimony of Spectators, who could only see the out-side, which, as many of them have witnessed to the Writer, was very calm and resolute. When he came to Sir Robert Cotton's, three or four Officers were sent from Cromwel to him, desiring that he would discover what had been oft askt of him, and he should not only be preserved, but be made a Great man: but he rejected their Offers, with the same language he had formerly used on the like occasions; and said, if he had as many Lives as hairs in his Head, he would lay them all down rather than redeem them by so base means; which an Ear-witness vouched to the Writer. Then all went to Prayers, and they had some excellent good Preachers waiting on them, and praying with them. Some Wine was brought, and they all drunk one to another, and did embrace and kiss each other with much tenderness.

The Duke was first led away to the Scaffold: on the way other Officers came from Cromwel, renewing the former Offers if he would make Discoveries; but all to no purpose, he rejecting them with scorn. Those many Offers as they were great temptations, which would have shaken any man whose Soul was not fully at Peace with God, and well-prepared for Death; so they discovered the baseness of those mens Designs. But as malice did ever pursue the Duke with the unjustest Slanders, so his Enemies, hearing that Messengers came often to him, did strangely misrepresent it, as if he had been even then in some Treaty for his Life. Being come to the Scaffold, the Earl of Denbigh desired to speak with one of his Servants, and Mr. Lewis was sent to him: the Duke asked Mr. Cole what might the matter be, who answered, he judged it was to know what Order he had given about his Children; the Duke answered, he might satisfy him if that were the matter.

Continued offers of Life if he would make Discoveries, but they are rejected.

The Duke was during his stay at St. James's visited sometimes by Doctor Sibbald. Him he chose now to accompany him in his last minutes, who encouraged him, *to look to that fountain of the Blood of Christ in which he must be purged from all his Iniquities; the effusion whereof was for the Salvation of all, who by a true and lively Faith rested on him: he was the only Rock on which he was to build his Hopes, and though the waters of Jordan did run an impetuous Current, he was the Ark of the Covenant, that was to lead him through them to that sure Refuge, against which neither the Powers on Earth, nor the Gates of Hell could prevail.* He desired him, *to lift up the eyes of firm Confidence to the Crucified Christ, and with St. Stephen to behold him sitting at his Father's right hand, ready to receive his Soul: adding, who would be in love with Life, if they could but before-hand consider what it would prove? all being a heap of Cares, Anxieties, and Miseries, with which every rank of Men, and state of Life was beset: it was therefore a Happiness to be with much Joy welcomed, when we found a quick and easie Passage for escaping these swelling Billows, and getting into that blessed harbour of eternal Happiness. We must pass through a Sea, but a Sea of our Saviour's Blood, in which never any Shipwrack; and through which we are carried by the soft winds of the Divine Spirit, which can scatter all contrary blasts.*

Doctor Sibbald encourages the Duke on the Scaffold.

An. 1649.

The Duke's  
last Speech.

When the Doctor had thus ended his Discourse, the Duke perceiving a greater silence than he expected, though he had resolved to make no Publick Speech, and therefore had, as was already told, expressed himself in private; yet being invited by the Attention he observed, he spoke to the People: but as he had not premeditated it, so no Copy of it remains, except what was printed from the Notes of the Hearers, and therefore I shall only set down the Heads of it. He addressed himself to the Sheriff, and told him, "he judged it not very necessary for him to speak much, his Voice was so weak and low, that few of the crowd that looked on could hear him; nor was he ever so much in love with speaking, or with any thing he had to say, that he took much delight in it: yet since this was his Last, he being by the Divine Providence of Almighty God brought justly to that End for his Sins, he would speak a little to the Sheriff, for his Voice could not reach others. He was now to suffer as a Traytor to the Kingdom of *England*, a Country which he had ever loved equally with his own, not having intended either any general Prejudice to it, or to any particular Person in it: his late Actions were the Commands of his own Country, which he could not disobey. It is true, it had pleased God so to dispose of the Army under his Command that it was ruined, and he for being cloathed with a Commission to be General stood now ready to dye. He would not repeat what he had pleaded for his own Defence, God was just; nor would he say any thing of his Sentence, but that he did willingly submit to Gods Providence, acknowledging that on many accounts he deserved Punishment in this Life as well as in the next, for he confessed himself a great Sinner: yet for his Comfort he knew there was a God in Heaven who was very merciful, and that his Redeemer did sit at his right Hand; and he was confident that he was mediating for him at that very instant, being hopeful through his All-sufficient Merits to be pardoned all his Sins, and to be received into his Mercy, trusting only to the Free Grace of God through Jesus Christ. He declared he had never been tainted in the Religion professed and established in the Land, in which he had been bred from his Infancy: it was not this nor that mode or fancy of Religion that was to be built on, but one that was right, and sure, and came from God. *Here he observed some taking Notes, and upon that said, he had not expected that, else he had digested what he had said into a better Method: but desired that what he had said might not be published to his disadvantage, since he had not intended to speak any thing when he came to that place. Then he went on, and said,* "Many dreadful Aspersions had been cast on him, as if his Intentions had not been such as he pretended; but he thanked God, he was unjustly blamed: That for the King, he had ever loved him, both as he was his King, and his Master, with whom he had been bred many years, and had been his domestick Servant; and that there was nothing the Parliament of *Scotland* declared for the King, that was not really intended by himself: and as he hazarded his Life for him one way, so he now was to lose it another; and that his Design of leading in the Army to *England* was really that which was published in the Declaration, in so far as concerned the King: he was not then to speak of the rest of the Declaration, which had many other particulars in it. And for what

" what he said of his Duty to the King there was no reason to suspect *An. 1649.*  
 " him of Flattery, or any other end in saying it, (God having now so  
 " disposed of His Majesty) but though he could gain nothing by it,  
 " yet he owed the freeing himself of that Calumny to Truth, by  
 " which all men shall gain for ever. There had been many Discourses  
 " founded on a part of the *Scotish* Declaration, which mentioned an  
 " Invitation to come to *England*, upon which he had been much la-  
 " boured for discovering the Inviters; but he had, and did still re-  
 " mit himself to the Declaration, without any other Answer. He was  
 " ever willing to serve this Nation in any thing was in his Power,  
 " which was known to many worthy Persons in it; and he would still  
 " have continued in those Resolutions, had those in whose hands  
 " the Power was then, thought fit to have preserved his Life. But  
 " since he was to be thenceforth of no more use, all he could do was,  
 " to wish the Kingdom Happiness and Peace, and to pray that his  
 " Blood might be the last should be shed: and though perhaps he had  
 " some reluctancy within himself at his Suffering for this Fact, yet  
 " he freely forgave all men, and carried no rancour with him to the  
 " Grave; but did submit to the Will of him who created Heaven and  
 " Earth, and himself a poor sinful Creature then speaking before him.  
 " He conceived it could contribute to no end for him to speak of  
 " State-business, of the Government of the Kingdom, or things of that  
 " nature; his own Inclinations had been still for Peace, he was ne-  
 " ver an ill Instrument betwixt the King and his People, nor had he  
 " acted to the prejudice of the Parliament. And as he had not med-  
 " dled much in those Wars, so he was never wanting in his Pray-  
 " ers to Almighty God for his King's Happiness: and he earnestly  
 " prayed God, to direct his Majesty (that now Reigns) that he might  
 " do what should tend to his Glory, and the Peace and Happiness  
 " of the Kingdoms. He said he was of the Established Religion, which  
 " he had professed in his own Country where he was born and  
 " bred: but for particular opinions he was not rigid, he knew many  
 " godly men had scruples about divers things, wherein he had never  
 " concerned himself; nor did Difference of opinion (which was ne-  
 " ver more than at that time) move him, his own was clear. He pray-  
 " ed the Lord to forgive him his Sins, as he freely forgave even  
 " those against whom he had the greatest grounds of Animo-  
 " sity, remembering that Prayer, *Forgive us our Trespases, as we for-  
 " give them that trespass against us.* And to this purpose he spoke,  
 if the Writers did him right in what was published in his Name: but  
 how true the printed Papers were, the Writer is not able to judge,  
 for he has three printed Relations of it before him, all varying some-  
 what one from another. As he expressed himself thus, he discovered  
 a great composure by his Looks and manner of Expression; and when  
 he was desired to change the Posture he stood in, since the Sun shined  
 full in his Face, he answered pleasantly, "No, it would not burn it, and  
 " he hoped to see a brighter Sun than that very speedily.

After the Duke had done speaking, he called for the Executioner,  
 and desired to know how he should fit his Body for the Blow,  
 and told him his Servants would give him satisfaction. Then he cal-  
 led to his Servants, and commanded them to remember him kindly to  
 divers of his Friends in *England*, particularly to his Mother-in-law



*An.* 1649. the Countess of Denbigh, to whom he had ever payed a Filial respect, and to the old Countess of Devonshire, who as she lived to a great Age, and to the Honour of her Nation, so was on all occasions a constant and true Friend to him. He bade tell her, she would no more question his Loyalty, (which she had done sometimes in raillery) since he was now to seal it with his Blood; then he kneeled down, and prayed in these words.

His Prayer.

**M**ost blessed Lord, I thy poor, and most unworthy Servant come unto thee, presuming in thy infinite Mercy, and the Merits of Jesus Christ who sits upon thy Throne; I come flying from that of Justice to that of Mercy and Tenderness, for his sake who shed his Blood for Sinners, that he would take Compassion upon me, that he would look upon me as one that graciously hears me, that he would look upon me as one that hath Redeemed me, that he would look upon me as one that hath shed his Blood for me, that he would look upon me as one who now calls and hopes to be saved by his all-sufficient Merits: for his sake, Glorious God, have Compassion upon me in the freeness of thy infinite Mercy, that when this sinful Soul of mine shall depart out of this frail Carcase of Clay, I may be carried unto thy everlasting Glory. O Lord, by thy free Grace, and out of thy infinite Mercy, hear me, and look down, and have Compassion upon me; and thou Lord Jesus, thou my Lord, thou my God, and thou my Redeemer, hear me; take pity upon me, O Glorious God, and so deal with my Soul, that by thy precious Merits I may attain to thy Joy and bliss: O Lord, remember me so miserable and sinful a Creature. Now, thou O Lord, thou O Lord who died for me, receive me, receive me into thy own bound of Mercy. O Lord, I trust in thee, suffer me not now to be confounded. Satan hath too long had possession of this Soul, O let him not now prevail against it; but let me, O Lord, from hence-forth dwell with thee for evermore. Now, O Lord, it is thy time to hear me, hear me, Gracious Jesus, even for thine own Goodness, Mercy, and Truth. O Glorious God, O blessed Father, O holy Redeemer, O Gracious Comforter, O holy and blessed Trinity, I do render up my Soul into thy hands, and commit it to the Mediation of my Redeemer, praising thee for all thy Dispensations, that it hath pleased thee to confer upon me; and even for this, Praise and Honour, and Thanks, be to thee from this time forth and for evermore.

His Death and Burial.

After this, Doctor Sibbald entertained him with some pious Discourses, and then the Duke prayed a short Prayer by himself. After which, he with a cheerful and smiling Countenance imbraced the Doctor, and said, Truly, I bless God I do not fear, I have an assurance that is grounded here (laying his hand on his Heart) that gives me more true Joy than ever I had: I pass out of a miserable World to go to an eternal and glorious Kingdom, and though I have been a most sinful Creature, yet I know Gods Mercy is infinite; and I bless my God I go with so clear a Conscience, that I know not the man I have personally injured. Then embracing his Servants that were there present, he said to every one of them, you have been very faithful to me, the Lord bless you. He turned next to the Executioner, and after he had observed how he should lay his Body, he told him he was to say a short Prayer to his God, while he lay all along, and should give a Sign by stretching out his right Hand, and then he was to do his Duty, whom he freely forgave, as he did all the World. And then he stretched himself out on the Ground, and

and having placed his Head aright, he lay a little while praying with *An. 1649.* great appearance of Devotion within himself, and then gave the Sign; upon which the Executioner at one blow severed his Head from his Body, which was received in a Crimson-taffety skarf, by two of his Servants kneeling by him, and was together with his Body immediately put in a Coffin, which was ready on the Scaffold, and from thence conveyed to a House in the *Mews*; from whence it was, according to the Orders he had given, sent down by Sea to *Scotland*, and interred in the Burial-place of his Family, where it lies in the hopes of a Blessed Resurrection to eternal Life.

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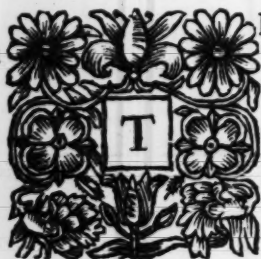
THE

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# THE CHARACTER OF

## James Duke of Hamilton, &c.

His Birth and  
Parents.



His Person and  
Constitution  
of Health.

He lived and died *JAMES* Duke of *Hamilton*, who was born at *Hamilton* the 19<sup>th</sup> of *June*, 1606. His Parents were *James* Marquis of *Hamilton*, and *Lady Anne Cunningham* Daughter to the Earl of *Glencairn*. He was of a middle Stature, his Body well-shaped, and his Limbs proportioned, and straight; in his last years he enclined to fatness; his Complexion and hair were black, but his Countenance was pleasant, and full of Life, and shewed a great Sweetness of Disposition; his Health was regular, suitable to his Diet, and free of sickness or pain, only in his last years he was a little subject to the *Stone*. But when his Body was opened, all his Inwards were found sound and entire, so that had not that fatal stroke brought his days to a too early Period, he might probably have been very long lived.

His Education.

At the time of his Fathers coming to Court, the Duke of *Buckingham* (being then in great favour with King *James*, and desiring to strengthen his Family with Noble Alliances) agreed a Marriage betwixt him & the *Lady Mary Feilding*, Daughter to *William* Earl of *Denbigh*, and the *Lady Susanna Villiers* Sister to the Duke of *Buckingham*, upon which his Father sent for him to Court, to be married when he himself was fourteen years of age; and the Lady designed for him but seven. This broke off the Course of Studies in which he had been educated till then in *Scotland*: and though he was sent afterwards to the University of *Oxford*, yet the interruption, that his stay at Court put to his Education in Letters, was such that he never recovered it. After the years of Consummating the intended Marriage were come, he was forced to it, not without great Aversion, occasioned partly by the disproportion of their ages, and partly by some other secret Considerations.

His Marriage.

He lived with his Lady for some years in no good terms, and that concurring with other Motives, made him leave the Court upon his Fathers death: but her excellent qualities did afterwards overcome that Aversion into as much Affection as he was capable of; and it was no wonder, for she was a Lady of great and singular worth, and her Person was noble and graceful like the handsome Race of the *Villiers's*. But to such as knew her well, the virtues of her mind were far more shining. She was educated from a Child in the Court, and esteemed and honoured by all in it, and by  
none



none more than the late King, who as he was one of the Chastest men (not to say Princes) so he was a perfect honourer of all vertuous Ladies. She was Lady of the Queens Bedchamber, and admitted by her Majesty into an entire Confidence and Friendship; and not only was her Honour unstained, but even her Fame continued untouched with Calumny, she being so strict to the severest Rules, as never to admit of those Follies which pass in that style for Gallantry. She was a most affectionate and dutiful Wife, and used to say, *she had the greatest reason to bless God, for having given her such a Husband, whom as she loved perfectly, so she was not ashamed to obey.* But that which crowned all her other Perfections was the deep sense she had of Religion: she lived and died in the Communion of the Church of England, and was a very devout person. Many years before her death, she was so exact in observing her Retirements to her Closet, that notwithstanding all her Avocations, and the Divertisements of the Court, (as the Writer was informed by one that lived with her) no day passed over her without bestowing large portions of her time on them, beside her constant attendance on the Chappel. She bore first three Daughters, and then three Sons; her Daughters were Lady Mary, Lady Anne, and Lady Susanna; her Sons were Charles, James, and William: but all her Sons and her eldest Daughter died young.

A year before she died she languished, which ended in a Consumption, of which after a few Moneths sickness she died: so that she prepared for Death timeously.

About a Moneth before her death she called for her Children, and gave them her last Blessings and Embraces, ordering them to be brought no more near her, lest the sight of them might have kindled too much tenderness in her, which she was then studying to raise above all created objects, and fix where she was shortly to be admitted.

She died the tenth of May in the year 1638, and left her Lord a most sad and afflicted person: and though his Spirit was too great to sink under any burden, yet all his Life after he remembred her with much tender Affection. She died indeed in a good time for her own Repose, when her Lord was beginning to engage in the Affairs of Scotland, which proved so fatal both to his Quiet and Life.

But the Distractions of the following years concurring with the affectionate Remembrance of his Lady, which rather increased than abated with time, kept him from the thoughts of re-engaging in a married life. Neither did the death of his Sons shake him from that purpose, since he had so noble a Successor secured for his Family in the person of his Brother; and next to him he had two Daughters who were dear to him, far beyond the ordinary rate of Children, on whom he got his Dignity and Fortune entailed, in case his Brother died without Sons.

His Religion was Protestant and Reformed; and as he was a Zealous Enemy to Popery, so he was no less earnest for a good Correspondence among all the Reformed Churches, in particular betwixt the *Lutherans* and *Calvinists*, and therefore was a Great Patron and Promoter of the designs of Mr. Dury, who bestowed so much of his travel, and so many of his years in driving on that desired Union: for I find by many of Dury's Letters to him, that as he owed a great part of his Subsistence to the Money and Places were procured for him by the Duke, both from  
the

the King and my Lord of *Canterbury*, so his best Addressees to the *Swedish* Court and the Princes of *Germany*, were those he had from him; and therefore he continued giving him an account of his success, as to his Patron and Benefactor.

As for our unhappy Differences which have divided this Island, he judged neither the one nor the other worth the Blood was shed in the Quarrel; and the excess he had seen on both hands cured him from being a Zealot for either. He was dissatisfied with the Courses some of the Bishops had followed before the Troubles began, and could not but impute their first Rise to the Provocations had been given by them: but he was no less offended with the violent spirits of most of the Covenanters & particularly with their opposition to the Royal Authority. As long as the King employed him for the preservation of Episcopacy, he served him faithfully; and though afterwards he pressed him much for his consent to the Abolition of that Government in *Scotland*, it was not from any Prejudice himself had at it, but flowed only from the Affection he had to His Majesty, since he saw it could not have been preserved at that time without very visible hazard both to King and Countrey: and so he took the National Covenant at the Kings Command, *Anno 1641*, in the Parliament of *Scotland*.

He was all his life a great honourer of true Piety where-ever he saw it, notwithstanding any mistakes that might have been mingled with it; so that whatsoever particular ground of Resentments he had at any who (he judged) feared God, the consideration of that did overcome and stifle it: but his first Imprisonment in the year 1643 was the happiest time of his Life to him, for there he had a truer prospect of all things set before him, which wrought a Change on him discernible by those who knew him best. This made him frequently acknowledge Gods great Goodness to him in that Restraint: for then he learned to despise at the foolish pleasures of Sin, and the debasing vanities of a false World, which had formerly possessed too great a Room in his thoughts. It is true he chose to be Religious in secret, and therefore gave no other vent to it in his Discourse than what he judged himself obliged to, which was chiefly to his Children, to whom he always recommended the Fear and Love of God, as that wherein himself had found his only Joy and Repose. The following words are a part of one of his Letters to them, which he wrote a little before his last going to *England*.

*I*N all crosses, even of the highest nature, there is no other remedy but Patience, and with alacrity to submit to the good-will and pleasure of our Glorious Creator, and be contented therewith; which I advise you to learn in your tender Age, having enjoyed that Blessing my self, and found great Comfort in it while involved in the middle of infinite Dangers.

He was a constant Reader of the Scriptures, and during his Imprisonment they were his only Companions, other books being for a great while denied him; and he making a vertue of that necessity became a diligent and serious Reader of those holy Oracles, and studied to take the measures of his Actions from them, and not from the foolish Dreams, and Conjectures of *Astrology*, though the enquiring after, and taking notice of these, be among the injurious Imputations Obloquy fastened upon

upon him. But so far was he from any regard to them; that an *Astrologer* coming to him in *Germany* with a Paper, wherein he said he should read a noble Fortune, he, after he had sent him away, threw it into the fire, without once opening it: and indeed he was so far from flattering himself with the hopes of great success in any of his Undertakings, that he rather apprehended himself under some inauspicious Star, that crossed all his Attempts, which made him in his latter years long for some secret Retirement out of the noise of business. And in his last Expedition into *England*, he was so far from promising himself great matters, that the night before he marched, when he was taking leave of one of his Friends, he said, he not only knew that such Attempts were doubtful, but apprehended that what he was then engaging in, might prove not only dangerous, but destructive to himself; nevertheless he was resolved either to go through with it successfully, or to perish in the Attempt, and never survive it; adding, that the last was what he looked for, and therefore he took his leave as never to meet again.

But notwithstanding all the Misfortunes that either lay upon him, or did hang over him, he preserved the greatest calmness in his mind that could be imagined: which appeared in an unclouded serenity that dwelt always on his looks, and discovered him ever well pleased. And though the greatness of his mind, and the sweetness of his Natural Temper might have contributed much to that Tranquillity; yet certainly it took its rise from another Source, and flowed chiefly from his Confidence in God, and the Security he had in the innocency of his own Heart.

His Accomplishments were great, though cultivated only by his own thoughts, and improved by Experience; for he was no great Scholar, neither was he bred abroad: his Judgment was profound, his Foresight great, his Style was smooth and without affectation, for he spoke with a native Eloquence. One advantage he had beyond all he engaged with in debating, that he was never fretted nor exasperated, and spake at the same rate without clamouring or eagerness. He had seen so much of the baseness of many men, that it inclined him in the end to Jealousie: which made him reserved with most people: and of this I find divers complaining in their Letters.

For his Affection and Duty to his Prince it hath appeared so much in his History, that little remains to be said in his Character. It is true some were pleased to say that he treated with foreign Princes, for seconding him in his own pretensions to the Crown of *Scotland*: but this Forgery was so ill-grounded, that he had signal proofs to the contrary. When he first engaged in the *German* Design one wrote to him from the *Spanish* Court in the name of the Ministers of that Monarch, making him great promises if he would desist from it: but his Answer was, that Duty, Gratitude, and Inclination concurred to tie him inseparably to his Masters Interests, and that no consideration either of Hope or Fear was able to shake him from his fidelity to them. Neither did any thing obstruct his being more employed and trusted in *Germany*, than his constant adhering to the Kings Pleasure and Interest; for had he given himself up to the will of the *Swedish* King, he would have been quickly put in another capacity, and might have had about him one of the best Armies in *Germany*; since all the *Scotish* Officers, who at that



time were many and considerable, inclined to have formed an Army apart, and served under him, had the King of Sweden given way to it.

When he was claiming his Estate and Rights of *Chastleberault* in France, Cardinal *Richelieu* appointed Sir *James Hamilton*, whom he had sent over to negotiate that Affair, to tell him that he should be not only settled in that, but have more likewise, if he would enter into a close Correspondence with him, and be a faithful Servant to the French Crown. His answer was, that he owed indeed the greatest Duty and Dependence to the King of France, of any Prince next his own King; and therefore would faithfully serve all his Interests after the Kings. But nothing was to be expected from him that might upon any consideration prejudice his Masters Service, neither would he engage in any Correspondence without his knowledge and allowance: adding, that he was confident his Eminence was too faithful a Minister to that Monarch whom he served, to like him the worse for his Honesty to his own Master. These Instances will evince how far he was from pretending to any Interests in his Correspondence with foreign Princes different from the Kings, whom he served with as much Affection as Duty. And indeed the Love he bore his Person was no less than the Duty he payed to his Authority, for he did not deny but the former made him digest some things, which perhaps otherwise he had not born so well. This kept him far from vilifying His Majesties Person, or speaking unhandsofly of him, as some accused him. It may be supposed that had he been guilty of that, it would have appeared more to his Friends than Strangers, since Prudence would have taught a reserve to them, though Duty had not enjoined it: but those who conversed most with him, saw so much of his Affection and Esteem for that Prince, that many of them have told the Writer he was the furthest from it that could be, since he studied by all means to infuse that value in others for him, which possessed his own mind. It is true his Calmness made many, who knew not how natural that Temper was to him, suspect he was not in earnest, because he did not bluster out in heats of Passion upon every occasion; for as he was not easily inflamed, so he could not well personate a Passion when he was free of it. All his Advices to the King were for settling matters without hazarding on a bloody Decision, knowing well, that no Quarrels are so mortal, as those that follow upon the closest Ties; therefore he was far from acting that infamous Office of Incendiary, which some fastned on him. And it was his suggesting and pressing gentler Methods, which engaged some fiery Spirits into such opposition to him: and from hence it was, that when he was put to a Review of those Advices he offered to his Majesty, he said, *He would not study to justify them all, since he was far from the vanity of magnifying his own Counsels; but all he could answer for, was his good Intention, which was not to be measured by Success.*

As for his disclosing the Kings Designs to his Enemies, Hell could have devised nothing further from Truth: for not only does the silence of all his Letters that are in my hands refute that, but when afterwards some who had been Leading men in the Covenant broke with him, with such Animosity, and when by some of those much pairs was taken, to possess the King with Jealousies of him, it is not to be doubted but if there had been a shadow of truth for those Imputations, some Particular

cular would have appeared, or some Letters had been preserved to have justified these Insinuations. But nothing was so much as ever pretended for this, beyond Whispers and general Stories.

If all his Friends were not at all times so fixed to their Duty as they ought to have been, that left no Blame upon him; for no man can be lyable for his Friends, nor charged with the faults of other men: but when any of them strayed from their Duty, his Friendship made him not the less but the more severe to them; and many of them being yet alive, have witnessed with what honest zeal he always studied to engage them to a Cordial adherence to the Kings Service. But to sum up all, those who after they see how in his last Speech delivered at his Death, he begs *Pardon and Mercy from God, as he hath been a faithful Servant to his Master*, and do still retain their Jealousies, are beyond the cure of any Perswasion; for none but a desperate Atheist could have adventured so far with a defiled Conscience. Neither can it be alledged here, that all in those times pretended to be for the King: for perhaps many thought the methods they took were the best, for securing and settling his Throne. But had the Duke been faulty as the World accused him, it must not have been a Mistake in his thoughts, but a Crookedness of his Heart, a betraying of his Trust, and a falsifying of his Engagements: and who can suppose, that the Parties who were prevalent both in *England and Scotland* at the time of his Death, and pursued him and his Memory with all the excesses of Malice, would not have discovered such Treachery to load him with the greater Infamy, if there had been any grounds for it, since they were the persons who must have known it best?

As for that ridiculous and Devilish Forgery of his pretending to the Crown of *Scotland*, never any were alledged to have heard a hint of it from himself, no not in raillery; and certainly if so great a Design had ever been discovered to any person, it must have been to his Friends, and he must have taken pains to have made some Party sure for it: but for this nothing was ever whispered but Surmises, and those hanging so ill together, that they retained not so much as the shadow of Probability.

For his Country, as he had as great Interest in it as any Subject, so <sup>His love to</sup> his Affection yielded to none. And it is certain, that if his Counsels <sup>his Country.</sup> to the King seem at any time to fall short of the higher ways of Authority, nothing but his Affection for his Country gave him the byass; for he confessed, *the thing in the World at which he had the greatest horror, was the engaging in a Civil War with his Country-men.*

He was far from any Designs of engrossing either Power or Places of advantage to himself, or his Friends; nor was he ever the occasion of any Burden to the Country, for the Assignments he had on some Taxations, were only for payment of the Debts he had contracted by his Majesties Command for his Expedition to *Germany*. And so little fond was he of being the Kings Commissioner in *Scotland*, that in divers of his Letters he proposed others to his Majesty for that Trust, protesting it was a Place which of all other he hated most; and when he saw Jealousies taken at his being so long in that Trust, as if the King had been to govern *Scotland* by a Commissioner, he pressed his Majesty to change him; so careful was he to avoid every thing which might

be a Grievance to his Country, and retard the Kings Service.

He was the great Patron of all *Scotishmen* in the Court, which drew on several occasions a large share of Malice upon him: as appear'd particularly in the Case of one Colonel *Lesley*, whom Colonel *Sander-son's* Friends were pursuing in the Court, alledging that *Lesley* had killed that Colonel unworthily in *Muscovia*. The Crime was not committed in the Kings Dominions, and *Lesley* was Legally acquitted from it in *Russia*, who upon a National account being a *Scotishman*, laid claim to the Dukes Protection; but this irritated Colonel *Sander-son's* Brother (who pretends to have written the History of King *Charles* the First) into so much Rage against him, that forgetting the Laws of History, he breaks out on all occasions into the most passionate Railings, that his spiteful, but blunt and impotent Malice could devise. And the best of all is, he bewrays his Ignorance as well as his Passion, in all the Account he gives of the *Scotish* Affairs; so that it is hard to say, whether his Folly in attempting to write a History on such slender Informations, or his Impudence in forging or venting Lies with such Confidence, deserves the severer Censure.

And since I mention this *Lesley* I shall only add, that though *Sander-son* tells a formal Story of the signal Judgments of God on him in his Death, he was alive many years after that Book was published, which can be well proved by many who knew him.

His Temperance.

The Duke was very sumptuous and magnificent in his way of Living, but abhorred that debauched custom of Entertainments by Drinking, and was an example of Temperance; which cost him dear in *Denmark*, where he refusing the ordinary Entertainments of that Court in drinking, was not only ill used, but made pay a great Sum under the pretence of Passage-dues. Temperance was particularly recommended to him by his Majesty, when he went to *Germany*; and his returning from that Court without once transgressing these Laws, was such an evidence of his observing them, that afterwards few would tempt him to those Excesses.

His Ingenuity.

Of all Vertues he esteemed Ingenuity and Candor most, as that which was the Ground of all Confidence, and the only Security among men; and therefore recommended it chiefly to others, and studied to observe it most himself. I confess when I consider his whole method of framing and carrying on his Designs, how streight and candid they were, if I oft admire his Invention, I do much more esteem the Ingenuity of his proceedings; for I never find him vailing Truth with a Lye, nor carrying on business with a Cheat: and to speak freely, the greatest departing from these Rules appeared in the Declaration emitted in April 1648; where among other things the Parliament declared, *they would not admit His Majesty to the exercise of His Royal Authority, till He by Oath obliged Himself to swear, and ratifie the Covenant*. The Duke stuck long ere he would give way to this, at length finding the violent Party that crossed the Engagement implacable, and being desirous to withdraw from them all colours or pretences for opposing that Design, he yielded to it; and at that time said to a Friend of his, that the Preservation of the King went so near his Heart, that he could refuse nothing which might make way for that. But it was far from his thoughts to seclude the King from the exercise of his



his Royal Power, and therefore it was excused at the same time, both by the Letters his Brother wrote to the King, and in the Instructions sent by Sir William Fleeming to the Queen and Prince, and by Sir William Bellenden to the Prince of Orange. I have also a Journal which he took with his own hand of what passed in that Parliament, wherein he wrote, when that Act was put to the Vote, *that (though he gave his Vote to it) it was not his own Opinion.* And thus I lay open both his Fault, and the Temptation that led him to it, so that if ever any Officious Lye was of a venial Guilt, sure this was: yet who knows if among the holy and wise Counsels, for which God might have permitted that Armies Miscarriage as a Punishment for our other Sins, we not being ripe for a Deliverance, this departing from the severe Rules of Ingenuity and Vertue might not have been one procuring cause? but this is the only Instance of this Nature I have met with in the whole Survey of his Actions and Papers.

As for the mildness and gentleness of his Nature, no day went over him His Temper. without giving new discoveries of it. For it was very hard to provoke him, but no less easy to appease him: he was not unequal in his Humour, but as one left him they found him, being always cheerful and ever the same. And whatever Aspirings might have been in his mind, his Carriage was the freest of Haughtiness that could be both to Equals and Inferiours: he was both easy to address to, and affable in his Converse, and laboured to oblige all people. And in his Command he was far from the common Practice of many, who are very careful to raise all the Money they can, and to oppress the Countries where they march or quarter. It is true the Earl of Calander did draw as much Money as was possible from the Places they passed through with their Army, but the Duke would meddle with none of it: and when Calander offered 450 Pound to his Stewart, he would not touch it till he spoke with his Master; who charged him strictly not to meddle with it, and acknowledged he had done like a faithful Servant in not taking it.

It was so impossible for him to resent Injuries, that when some of his Vassals had offended him, so that he was resolved to make them sensible of it when-ever it lay in his way, it no sooner came to be so, but their first Address broke through all his Displeasure: and never did the settled Composure of his mind appear more than at *Utoxater*, when in the midst of all that Disorder he preserved his usual Temper. The Generosity of his mind made him so tender towards all in trouble, even though deserved, that he was scarce capable of punishing any even for their Faults. A pretty Instance of this was, that a Woman having stolen some of his Plate, and being quickly found with it, he was asked what should be done with her; to which he answered, it seemed she wanted Money, wherefore he ordered to give her a Piece, and send her away. And when in the year 1648, a zealous Woman threw a Stone at him, as he passed through the Streets, all he said was, *he wondered what the Woman aimed, for he was never an enemy to the Sex: nor would he suffer any severe Sentence to be executed on her, but when her Hand was ordered to be cut off, he procured her Pardon, and said, The Stone had missed him, therefore he was to take care that their Sentence might miss her.*

To conclude, I shall not offer to tell how much his Death was lamented by all who knew him, for then I should never get off: I shall therefore only set down two Letters, the one of Condolance from the *Queen Mother*, another from his Majesty who now Reigns to the Earl of *Lanerick*, then by his Brothers death Duke of *Hamilton*, which expresseth the value his Majesty had of the Engagement.

Cousin,

**I**Ntending every day for a great while to have dispatched Rainford, I have not hitherto done that which my sense of the Loss of my late Cousin-the Duke of *Hamilton* should have drawn from me long ago, which was to express the concern I had for his Death: and though my own inexpressible Loss hath made me incapable of feeling any thing else that can befall me in this World, yet it hath not made me insensible of your Brothers Death, both on his own account and on yours. For Consolation, it is not easy for me to offer you any, being incapable of taking it to my self. We must turn us to God, and receive it of him, for this World cannot afford it: yet if to bear a share in your Affliction, may in any way lessen some part of your Grief, I am assured you shall find an allay to it; and I desire you may believe, that no person wishes you more Happiness than my self, who shall study on all occasions to make it appear, that I am with all sincerity,

Paris 22<sup>th</sup>  
April, 1649.

Cousin,

Your very good, and  
affectionate Cousin,

HENRIETA MARIA R.

My Lord Hamilton,

**I** Am very sorry that I could not have your Advice in my late Proceedings with Mr. Winram, who is now returned with my Letters (the Copies whereof I send you herewith;) but the Treaty being appointed so near you at Breda, I shall desire your Presence at it, and shall much depend upon your Advice, assuring you that I will take care of your Interests, and of all those honest men that engaged with your Brother, equally with that which concerns my self. I hope the calling them a Committee of Estates, with such cautions as I use in the Letter, will bring no pre-

prejudice to you nor to your Friends. And I will be careful to establish your Interest by the Treaty, without which I conceive I cannot have much assurance. I pray use your best endeavours to your Friends in Scotland, to make their Demands moderate and reasonable; and then I shall not doubt of a good Issue, and such as may enable me to express, how much I am,

Jersey 24<sup>th</sup> of Jan.  
1649.

Your very affectionate  
Friend and Cousin,

CHARLES R.

M E





**WILLIAM DUKE** of  
 Castle Herald Marquis  
 Arran Cambridge and  
 and Innerdale one of his  
 Councell and Knight of the  
 Borne Anno 1616 and  
 After Worcester Fight Anno



**HAMILTON** and  
 of Cliddisdale Earle of  
 Lanerick Lord of Aven  
 Ma<sup>ty</sup> most Hon<sup>ble</sup> Privy  
 most Noble order of <sup>h</sup> Garter  
 died of his wounds  
 1652. Anno Aetat. 35.







## MEMOIRES

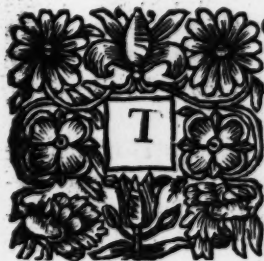
OF THE  
LIFE and ACTIONS  
OF

William Duke of Hamilton, &c.

LIB. VII.

*A Continuation of Affairs till Worcester-Fight.*

*Anno 1650.*



ON this account of JAMES Duke of Hamilton's Actions, it may be expected I should add the remaining *Memoires* of his Brothers Affairs. But the time he survived was so full of Disorder and Confusion, that few Papers were preserved, and these so imperfect, that without fuller Supplements than the Writer hopes for, no clear account can be given of those Times; therefore there shall be only added somewhat by way of Character, with a general Relation of the following Passages of his Life.

William Duke of Hamilton was born at Hamilton on the 14<sup>th</sup> of December in the year 1616. being ten years younger than his Brother, and of the same Parents. He was of a middle Stature; his Complexion black, but very agreeable, and his whole Air and Meen was noble and sprightly: his Youth discovered with an extraordinary Capacity so much Ingenuity, that Candor seemed in him not so much the effect of vertue as nature, since from a Child he could never upon any temptation be made to lye.

*The Character  
of William  
Duke of Ha-  
milton.*

When his Father died he left him very young to the care of his Mother, and the kindness of his Brother, with a very small Provision: but he confessed he never missed a Father in his Brother, who kept him not only at the University of Glasgow, where he was educated, but likewise in his Travels at a rate, and with an Equipage, suitable to his Quality. He travelled some years in France, where he was very much

H h h

esteemed

esteemed, and invited to stay in that Court with very honourable Offers. He had a good foundation of Literature, though he was no great Scholar; and what he once acquired, was rather improved than lost by him.

His appearance  
at Court.

He returned from his Travels when he was one and twenty years of Age, and was look'd on both by the King & Queen as a rare and highly promising Gentleman; and now that he was of an Age capable of it, his Brother and he entered into an entire Friendship. And finding him so rarely accomplished, and fitted for the greatest Affairs, he kept him with himself at Court; and though he depended wholly upon his Brothers Generosity for his Subsistence, yet he was far from making him feel that, either by upbraiding him with his Favours, or by disparaging him with any neglect, (Faults too commonly incident to Elder Brothers, when the Younger are obliged to stoop to them.) But as Lord *William* was too high-minded to have endured the least appearance of those, so his Brother was not capable of giving him any such hard Usage, but allowed him all things suitable to his rank, and carried towards him with Respect as well as Affection.

He continued in the Court some years, being much esteemed by all sorts there: for as his Address was becoming, so his Converse was full of Life and Wit, and he was a great Master in all his Exercises. But his Brother was more careful to think of a Fortune for him than himself was, and therefore provided a Marriage for him, that had the expectation of a vast Fortune, Lady *Elizabeth Maxwell*, eldest Daughter to the Earl of *Dirleton*, (who had no Sons, and but one other Daughter.) It was not without reluctance that he was engaged that way, but his Brothers Authority over him was absolute; so he was married to her in the year 1638, and continued still at Court. He had by her four Daughters that survived him, *L. Ann*, *L. Elizabeth*, *L. Mary*, and *L. Margaret*.

He is made  
Secretary of  
State.

Afterwards he pretended to be made Master of the Horse to the Queen, but Her Majesty was engaged to another, which was much resented by him, and made him resolve on leaving the Court and going into *France*. This grieved his Brother extremely, and both the King and Queen sent him a promise, that if he would give over thoughts of that Journey, he should be preferred to what-ever Place fell, that were fit for him. And a little after that, the Earl of *Sterlin* died, who was Secretary of State for *Scotland*, and the Queen moved the King to advance him to that Trust, to which his Majesty did willingly consent: for as he was glad of all opportunities of expressing his kindness to his Brother, so he saw in himself that which made him judge him both worthy and capable of any Employment; and thereupon he made him Secretary, and created him Earl of *Lanerick*. He had every thing but years to recommend him to the highest Trust, being Witty, Considerate, Brave, Generous, and resolute to the highest Degree. He saw his Engagement in Affairs fell to be in such a disordered time, that he could not have appeared on the Scene with more disadvantage. He had no experience at all in *Scottish* Affairs, but for that he resolved to trust to his Brothers Informations and Advices; which did not only continue till he came to understand Persons and Affairs better, but that Noble Pair were all their lives united with bonds of Friendship straiter than those of their Blood. Calumny got no access

The Friend-  
ship betwixt  
his Brother  
and him.

cess to their Ears, nor Emulation and Jealousie room in their Hearts; and as their Friendship was never broke off with a Discord, so it was not so much as marred by a Mistake. They had both Interests, Friends, and Quarrels in common; they were pleasant in their Lives, nor was their Friendship divided in their Deaths, as appeared from the interchanged Preferences they gave one anothers Children in their Last Wills.

Both of them had peculiar Excellencies; yet even in those things, wherein the one was excelled by the other, there remained enough to term them both eminent. The Elder had the greater Temper and Command of his Passions, but this made him sometimes fall short of that Acrimony and Authority which such Times and Services required. The Younger was more forward and resolute, yet sometimes this left his Temper behind it. The Elder as he had the advantage of Years and Experience, so he had the deeper Apprehensions, and the greater Foresight; but the Younger had more Vivacity of Spirit and Readiness of Apprehension. The Elder was readier to foresee a Danger, and invent Objections, and the Younger quicker at Answering them, and finding Salvos for all Difficulties. The Elders Converse was smoother, but more reserved; the Younger as he was the brisker, so he was the more frank, and was no less beloved: and in fine, the Elder spoke more gracefully, but the other had the better Pen.

He was most assiduous in his Employment, to procure not only favourable Answers, but speedy Dispatches to all those who made their Addresses by him to the King. He frankly told every one whether he would serve them or not, for where he meant no Assistance he never disguised it with general Assurances: but where he promised Service he needed no new Applications, either to refresh his Memory or quicken his Diligence; and he was wont to say, he was sure there was no Person, whose sight His Majesty had so little reason to desire as his, since he never saw him, when there was any possibility of speaking to him apart, but he moved him in one Suit or another. But his Confidence was grounded on this, that he gave the King no trouble with any desires of his own: his Reality this way obliged his Friends exceedingly, who used to complain, that though his Brother as far as his own Kindness could go was most obliging, yet he was averse from doing them such Services with the King as they desired of him.

He had a Vivacity of Apprehension beyond any about him, with a great conception of things, and quickly penetrated into mens Thoughts and Designs. His discourse was short, but nervous, witty, and full of Stings, when he had a mind to reflect on others; but he was soon heated, and kept his Fire pretty long. There was not a mean thought lodged in his Breast, all his Designs being noble and aspiring, which with the fervour of his Nature, made him pass for a very proud man among his Enemies. He was indeed gallant and generous to all degrees, and none alive was capable of a higher sense of Honour and Gratitude, nor more unable to stoop to any thing that was sordid or mean.

For his Religion he was a true zealous Protestant, and his Opinions about our unhappy Differences at home were the same with his Brothers. He had a great dislike of Church-mens pretending to meddle in Civil Affairs, finding it hurtful on all hands; and therefore was much for confining them to their own Work. In those Times when



things were like to run a risque in the Committee of Estates, most commonly the sense of the Commission of the General Assembly was brought in to declare how far Religion and the Covenant was concerned in any Particular that was under Debate; and this swayed some, and over-awed others: but nothing was more odious to him than this Practice, and he wisely foresaw, and often said, that nothing could bring such a stain on Religion, in the minds of those who were too inclinable to receive bad impressions of it, as the officious and over-meddling Tempers of hot and indiscreet Church-men. His Practice in Devotion, in some of his last years, shewed him to be sincerely Religious.

He had for many years great Convictions on his Conscience of the true excellence of Religion, but humane infirmity prevailed too much over him, and he was not free of Blemishes: yet he found he had to do with a merciful God, who gave him such a Victory over those Snares, and such tender impressions of his Love, that long before his Death he was come to have that assurance of the Divine Goodness, that he was not only ready and willing but longing for Death. But his prospect of it will appear better from his own Pen than any thing I can add, when he was entertaining himself in cold Blood with the serious Apprehensions of that grave Object, and penned his Latter Will, which shall be set down in its own place:

His troubles  
proved happy  
to him.

The Afflictions he lay under in his last years, contributed not a little to the raising that sense of things in him, these having been the saddest years *Scotland* ever saw, in which he was overlaid both with publick and personal Troubles. Those which went nearest his Heart, and wounded it in its most sensible part, were first the Kings Murther, and then his Brothers; neither was he capable of so mean a thought, as to receive any allay to the last by the Dignity and Fortune which thereby descended on him. The Friendship betwixt them had continued to the end sacred and inviolated, and as the Elder transmitted not only his Estate and Honour, but left also his personal Estate, Jewels, Plate, and Pictures (which were of great value) to his Brother, giving only Portions to his Daughters, trusting even the Writings for these to his Brother, to lessen them as he found the Estate might bear it; so the Younger judged himself bound in Honour and Gratitude to return such of those as were still in his power, (many of them having been either disposed of for defraying his necessary Expence in that troublesome Time, or lost in the Invasion of *Scotland*) again to his Brothers Daughter, whereby he prosecuted his Brothers first Design, who had provided the Honour and Fortune to descend on his own Daughters if his Brother had no Sons. And so much did he honour his Brothers Memory, that Injuries done himself raised not such irreconcilable Resentments in him as those had been done his Brother: neither was any Address so welcome to him, as that which came with a respective Remembrance of his Brother; and he entailed his Friendship for him on his Daughters, who have desired me to acknowledge to the World, that in him they met with the tenderness of a Father, the kindness of a Friend, and every thing that was generously noble and obliging. And so desirous was he to have his Niece enjoy her Fathers Estate and Dignity, that at his going to *England* he professed he was glad he had no Sons to lie in her way to it; adding, that if he had forty Sons, he rather

His care of  
his Brothers  
Daughters.

ther wished it to her, than he could do to any of them. And for proof of this, though many Evidences might be given, yet I shall only add one Letter he wrote to her; and the Orders he gave to all that depended on him, discovered it to be no Complement, for it was as really performed as it was generously offered.

Dear Neece,

**A**mongst all my just Afflictions there is none lies so heavy upon me, as that I am still made incapable of paying that Duty to you which I owe you. It is the greatest Debt I owe on Earth, and which would most joy me to pay, as well from Inclination as from Nature and Obligations; but all Happiness being denied me, I cannot hope for that which would be the greatest.

Before this I hope you are settled in Hamilton, where you have, as is most just, the same Power your Father had, and I beseech you to dispose as absolutely upon every thing that is there. All I have interest in, so long as they will acknowledge me, will obey you; and I shall earnestly beg, that if there be any failings (either from persons, or in providing what you shall think fit to call for, which that Fortune can procure) to advertise me thereof, and if it be not helped (so my Fortune can do it) let me be as infamous as I am unfortunate. I will trouble you no longer, but pray the Lord to bless you with Comfort and Health.

Camphier, the 10<sup>th</sup>  
of June 1649.

Dear Neece,  
Your real Servant,

HAMILTON.

As for those Princes whom he served, he had even as much Justice His Duty to the King. from Fame as his heart could wish, since none did ever fasten any ill Characters on him in that particular, except that little which was done at Oxford. But he who of all living knew his Brother best, acknowledged that in this he had the better of him only by Fame, and that the longer he lived he discerned the more wisdom in his Designs, and honesty in all his Counsels: but that which made the difference was, that his Temper was more forward, and he often spoke out those Resentments which his Brother either had not with so much Passion, or chused to bury in his Breast.

Nothing did so much support his spirit under the heavy Pressure that lay over it, as the desire he had to preserve his Life for His Majesties Service, of which he was prodigal, when he saw it useless to his Master, for his Life had been of a great while burdensome to him: and indeed it was no wonder to see Death so welcome to one who had so little reason to desire to live, and so much ground to hope in Death; for when the Tossings, and unjust unmerciful Usage he met with in those years he survived his Brother, are well looked into, it is a wonder they forced him not unto the horridest Resolutions imaginable, (I use his own words) and to pursue private and publick Injuries with a mortal Resentment: yet his zeal for the Kings Service, and the Countries Quiet, over-ruled all other thoughts. From Scotland he went to Holland where he was scarce landed when he heard the sad and dismal news of the Kings Murder, nor had he recovered of the extreme Grief

Grief that raised in him, when he heard likewise how his Brother was murdered, which afflicted him beyond expression; nor did any thing grieve him more than his laying down Arms at *Sterlin*, for when he saw too late how they had been abused in it, he censured it more severely than any of his Enemies could do.

He was ill used  
by his Enemies,  
and the  
Preachers.

In *Scotland* the Parliament (if that Meeting could ever deserve that name, wherein there were scarce any of the Nobility present) not only condemned the Engagement for the King, but passed an Act against all the Engagers, ranking them in several *Classes*, whence it got the name of an *Act of Classes*, whereby they were excluded from all Offices, publick Trust, and Vote in Parliament: nor were they ever to be admitted to Trust, till they had satisfied the Church by a publick profession of their Repentance for their accession to the unlawful Engagement, as it was then called, and were by them recommended to the favour of the State; and those that ruled were resolved to readmit none, but such as would depend on them, and adhere to their Interests. They were also particularly severe to the Duke, for breaking Confinement, and leaving *Scotland* without their Pass. The Duke upon his arrival in *Holland* offered his Service to his Master, (our Gracious Sovereign who now Reigns) which he received and entertained with so much Royal Goodness, as if the Affection and Confidence of their Masters had been the Inheritance of these Brothers; and what the late King was to the Elder, his Majesty was to the Younger, who continues to this day to honour his Memory with the highest Commendations. And indeed his Royal Favour was not misplaced on one that was either unsensible or ungrateful, for never Subject served Master with more Honesty, Zeal, and Affection; so that no consideration either of Hope or Fear wrought so much on him, as the Affection he bore his Master: neither expressed he anxiety for any thing at his Death, save for His Majesties Person, fearing lest he might fall into their cruel hands, whom he knew to be thirsting for his Blood.

He adviseth  
the King to  
settle with  
*Scotland*.

He stayed in the *Netherlands* till His Majesty came to *Scotland*; and though those that governed there were so much his Enemies, that they would have the King stand to their *Act of Classes*, and made that one of the Articles of their Treaty at *Breda*: yet the Duke seeing the desperate posture the Kings Affairs were in, and that no visible hope remained unless His Majesty settled fully with *Scotland*, was not only satisfied to consent to that severe Demand, but did earnestly press His Majesty to agree with that Kingdom, whatever might become of him. Many were for extremer Methods, and pressed the Duke to concur for making a forcible Impression upon *Scotland*: but he well foresaw the mischief of that Course, and how little could be promised from it; for as no great Concurrence could be expected in the condition things were then driven to, so all that could follow, even on a little success, was to expose the Country to the rage of a prevailing Army from *England*, against which *Scotland* entirely united would have had work enough, though it had not been weakened by a Civil War; and therefore he was against all Divisions, which might also have tempted the prevailing Party to joyn with the *English* Army.

The Treaty with the *Scotish* Commissioners was held at *Breda*, where things stuck long, their Demands being very high and uneasy to the King. The chief of the Commissioners was the Earl of *Cassilis*, who did



did truly love the King and Kingly Government; so that when the Usurpation proved successful by the Conquest of *Scotland* afterwards, though Usurper studied by the greatest Offers he could make to gain him to his Party, considering the high esteem he was in for his Piety and Vertue, could never prevail so far as to make him advance one step towards him, even in outward Civilities: yet he was a most zealous Covenanter, but of so severe a Vertue, and so exactly strict to every thing, in which he judged his Honour or Conscience concerned, that he would not abate an ace of his Instructions, but stood his ground so that nothing could beat or draw him out of it. But he did it with so much Fairness and Candor, that the King, though troubled enough with the difficulties that bred him, yet was much taken with the Openness of his Proceeding with him, and conceived so high an Opinion of his Fidelity to him, that nothing could ever change or lessen it: so so excellent a thing is Ingenuity that it begets an esteem wherever it is to be found, even when we are most displeased with the Instances in which it appears. The next in the Commission was the Earl of *Lothian*, who though he was deeply engaged in Friendship and Interests with the Marquis of *Argyle*, yet was of a Noble Temper, had great Parts, and a high sense of Honour. The other Commissioners depended on them, and went easily along with them in what they agreed to.

The Commissioners, seeing the good Offices the Duke did, were willing he should return with his Majesty to *Scotland* Anno 1650, and enjoy the common Privileges of *Scotchmen*, only be secluded from all publick Trust, and from his Vote in Parliament. But the leading-men in *Scotland* judged it necessary for the Peace of that Kingdom, that the Duke might not return with His Majesty, and sent Orders for stopping his Voyage. These Orders came not to *Holland*, before most of the Commissioners were aboard, only the Earls of *Cassilis* and *Lothian* were ashore when they got them; they were much troubled to get such severe Commands, obliging them to break the Treaty they had so lately signed. But since most of their fellow-Commissioners were gone, and they without them made not a *Quorum*, they could do nothing, so that the Duke was suffered to return to *Scotland* with the King. But at His Majesties Landing, one appointed by the Parliament to put him from the King, required him to withdraw: and when the King pressed the Commissioners with the Articles of their Treaty, they said they could not oppose an Order of Parliament. The King was much offended with this, and was inclining to resent it, both as an unworthy Usage and as a Breach of Treaty: but the Duke told him, that at that time *Argyle* was the person who was most able to render him considerable Service in *Scotland*; therefore though he knew he designed nothing so much as his Ruin, yet he advised His Majesty to use all possible means to gain him absolutely to his Party, and to neglect himself as much as *Argyle* desired, and not at all to seem much concerned in him; adding, that he knew when His Majesties Affairs were in a better posture, he would not forget his faithful Servants. ( This particular His Sacred Majesty vouchsafed to tell the Writer. ) It was in vain for him to claim either the benefit of the Treaty at *Sterlin*, or *Breda*, Interest and Jealousy prevailing more with these who then ruled than any other Tie; so the Duke was forced to retire to the Isle of *Arran*, where he stayed till the end of *January* 1651: nor could his

But is put  
from His Majesty  
at his return to *Scotland*.

And goes to  
*Arran*.

*Cromwell enters Scotland.*

his Petitions with the Intercessions of his Friends prevail for allowing him the liberty of coming to fight for his King and Country, so that he was forced to stay at *Arran* till the best half of *Scotland* was lost.

But God who had suffered the Church-party to prevail long, did blast their Force and Success at once; for *Cromwell* upon the Parliament of *Scotland's* bringing home their King, entred it with his Army. The Church-party as they had no mind to invade *England* on the Kings account, so were very careful to declare that their Arming against *Cromwell* was not on the Kings account, which they excluded from the state of the Quarrel by an Act of their Committee; and declared that they stood only to their own Defence, against that Hostile Invasion which was contrary to their Covenant and Treaties. They were also very careful to model their Army, so that neither Malignant nor Engager that had been of the Kings Party, should serve in it; for though when His Majesty came to their Army at *Leith*, the Souldiers were much animated by his Presence, and with the coming of two thousand brave Gentlemen with him to the Army, yet the Leaders of that Party pretended, that since the Malignants were in their Army God would be provoked to give them up to the Enemy, and therefore forced the King to leave the Army. They also forced away all those Gentlemen who came and offered their Service. I shall not pursue this account further, but only add, that notwithstanding all their Confidence of their Army, and though they had the Enemy at great disadvantages, so that he and all his Officers gavethemselves for gone; yet they were with very little Opposition broken and routed near *Dunbar* on the third of *September* 1650, and even those who two years before had insulted over the Misfortunes of the Engagement, were now themselves taught, how ill an Argument Success was to evince the Goodness of a Cause.

*Dunbar-Fight.*

*The King is better used in Scotland.*

This procured a great change in the Counsels of *Scotland*, for by that time the honestest, and better part of the Clergy were by the Murder of the King, and the other Proceedings in *England*, filled with distast and horror at them, and began to think how defective they had hitherto been in their Duty to the King, and therefore resolved to adhere more faithfully to it in all time coming. Others of the Church-party did also see, that as *Cromwell* was setting up a Commonwealth in *England*, so they found many of the forwarder amongst themselves very much inclined to it in *Scotland*. This divided them from the other violent Party, & made them joyn more cordially with the King, and be willing to receive his other faithful Servants to oppose the Common Enemy; therefore it was brought under debate, if the *Act of Classes* that excluded them from Trust, should not be rescinded, and all Subjects allowed to enjoy their Priviledges, and suffered to resist the Common Enemy: after long debate it was carried in the Affirmative, yet none were to be received but upon particular Applications and Professions of Repentance. The Commission of the Kirk being also asked their Opinions, declared, that in such an Exigency, when the Enemy was Master of all on the South of *Forth* and *Clide*, all sensible persons might be raised for the Defence of the Country. This was called the Resolution of the Commission of the General Assembly, and was ratified by the subsequent General Assembly. But against this many Ministers protested, and from thence arose great Heats and Divisions among

*The Church-party divided.*

among those of the Kirkmen, who owned the Publick Resolutions, *An. 1652.* and those who Protested against them, the one being called the *Publick-Resolutioners*, and the other *Protesters*. And now all Churches were full of pretended Penitents, for every one that offered his Service to the King, was received upon the Publick profession of his Repentance for his former Malignancy, wherein all saw they were only doing it in compliance to the peremptory Humour of that time.

It was about the end of *January* that the Duke was suffered to come and wait on the King; but at that time *Cliddisdale*, with the other Places where his Interest lay, were in the Enemies hands, who had put Garrisons in *Hamilton*, *Douglas*, *Carnwath*, *Boghall*, and other Houses of that Country. Yet the Duke got quickly about him a brave Troop of about an hundred Horse, made up of many Noblemen and Gentlemen, who rode in it, among whom were divers Earls and Lords, whose Lands being also possessed by the Enemy, they could do no more but hazard their own Persons in his Majesties Service; the rest were his Vassals and Gentlemen of his Name: and they were commanded under him by a gallant Gentleman, *Sir Thomas Hamilton of Preston*, whom he sent with 18 Horse to *Cliddisdale*, to try if the Enemy could be caught at any disadvantage, and the People of the Country raised for the King. The Enemy kept so good Guards, and was so strong at *Hamilton*, that he could not fall in there; therefore he went to *Douglas*, where he took about 80 Horse that belonged to the Garrison, but could not surprize the House, for it was too strong to be taken without Cannon. He likewise took all the Horse that belonged to the Garrison at *Boghall*, and killed twenty Souldiers. This made the Enemy keep closer at *Hamilton*, upon which the Duke resolved to raise ten Troops of Horse, and appointed *Sir Thomas Hamilton* Lieutenant-Collonel; but the Enemies Garrisons gave great interruptions to his Designs.

At that time the Enemy landed at *Innerkeething* in *Fife*, and the great Loss the King had there, did both raise the Enemies boldness, and much daunt his faithful Friends: for now *Cromwell* was betwixt His Majesty and the Northern Counties of *Scotland*, which were both most affectionate to his Service, and from whence he was to expect Provisions and Supplies; so that it was not possible for the King to maintain the War any longer in *Scotland*, and therefore he resolved on a March to *England*, being put in hopes of great Accessions of force to his Army from the Royal Party there: and this gave a trial to the Fidelity and Courage of many of the *Scotish* Nation: but too many looking on the Attempt as desperate, being more careful of their Lives and Fortunes than to hazard either in the King's Service, shrunk away, though divers of them had Charges in the Army. Against these base Deserters of their King and Country, the Duke was moved with such just Indignation, that he vowed if ever he returned with Life and Liberty, he should make these in whom he had interest answer for it.

But the Duke's thoughts of this March, and his sad apprehensions of the whole Business, will appear from the following Letter he wrote to his Neece that succeeded him.



An. 1652.

Dear Neece,

I Ndeed I know not what to say to you, I would fain say something more encouraging than my last was; but I cannot lie, our Condition is no better, and since that time we have a thousand men (I fear twice that number) run from our Army. Since the Enemy shuns Fighting with us, except upon advantage, we must either starve, disband, or go with a handful of Men into England. This last seems to be the least Ill, yet it appears very desperate to me, for more reasons than I will trouble you with: I fear your own Reason will afford you too many. Dear Neece, it is not your Courage I will desire you to make use of in this Extremity, look for Strength to bear it from a higher Power, all your Natural Virtues will not resist it; therefore look to him who hath in former times assisted you to resist a great Affliction, and can do it again if you seek to him aright; you have already lost so much, that all other Earthly Losses were drowned in that. Those you meet with now are Christian Exercises, wherewith oftentimes the Lord visits his own to wean their Affections from things here below, that we may place them upon himself, in whom we have all things; and if we could, as we ought, set our Hearts upon him, we should find our selves very little concerned in most things which bring us greatest Trouble here on Earth, where we are but for a minute in our way to Eternity. O consider that word Eternity, and you will find we struggle here for that, that's even less than nothing; why trouble we our selves for Earthly Losses? for when we have lost all we have, there are thousands as dear to God as we, as poor as we. We are rich though we lose the whole World if we gain him: let us set before our eyes the example of those, who to give testimony to the Truth, rejoiced to lay down their Lives; nay, let us with humble presumption follow the Pattern of our Blessed Saviour, who for our sakes suffered more than man can think on, the burthen of all our Sins, and the Wrath of his Father: and shall we then repine to lay down our Lives for him, when he calls for it from us, to give us a nearer admittance to him, than we can hope for while we are clog'd with our Clay-Tenements. Dear Neece, I should never be weary to talk with you, though this be a Subject I confess I cannot speak of well; but even that Happiness is bereft me, by the importunity of a Crowd of Persons that are now in the Room with me, grudging the time I take in telling you, that while I am,

Sterlin, 28<sup>th</sup> July,

I 6 5 1.

I am Yours, &amp;c.

The Duke waited on the King in the whole March, and gave Order that the Troops which he had levied should follow with all possible haste. Seven of them came up, and joyned the Army at *Moffet*, but the interruptions the Enemy gave, made that the rest could not be raised; nor were these Troops full. The Duke welcomed them with great affection, and assured them they should be as dear to him as his own Life, and that if God blessed the King with Success, he should be very careful to see them rewarded as they should deserve: but seeing they made in all but betwixt two and three hundred, he feared too many Standards would make them look like the remains of a broken Army; and therefore he set up only his own Standard, and so turned his small Regiment into a great Troop, and marched on with the Army.

When

When the Army came to *Warington-Bridge*, and beat *Lambert* from *An. 1651.* it, the Duke Commanded the Brigade (where his Horse were) that was in the Reer of the Foot; but that and the other Brigade of Horse being commanded to halt, he sent his Major to the Lieutenant-General, for Orders to March, that the Enemy might be vigorously pursued: but the Lieutenant-General would have the Foot led over first, and so that occasion was lost, which he with many others did infinitely greater with great demonstrations of Grief. Then it was debated, which way the King should hold: the Duke pressed that they should March streight to *London*, which was the desire of the whole Army, and that which *Lambert* apprehended, for in his Retreat he took the *London-Road*. There were also many other reasons used to enforce it, but the *English* Nobility and Gentry, who were in the Army, and the Earl of *Derby*, who with many Gentlemen came to the Army that night, gave many reasons against that March. The Duke seeing them so much against it, though his Reason could not go along with theirs; yet that he might not oppose so many brave and Loyal Gentlemen, went out of the Kings Tent, for he would not by his Presence seem to consent to that which he apprehended would prejudice the Kings Service: but was so far from disparaging the other Counsels, and enhancing the value of his own, that he went and laboured with all the Officers of the Army, to engage them to a cheerful Concurrence in the Resolutions that were taken, and studied even to perswade them to assent to that which had not yet prevailed on his own Reason.

The Resolution being taken to go to *Worcester* and storm it, the Army marched, and when they came near the Town, some Horse and Dragoons which were sent thither by *Lambert* two days before, retired to *Glocester*; and the King entred *Worcester* with two Bodies of Foot, the rest Marched through the Town over the *Severn*. The day after the King came to *Worcester*, the Duke with many of the Nobility and Gentry went to the Cross, and himself read the Kings Proclamation, and caused the Major of the Town to proclaim it; but God having designed to set his Majesty on the Throne of his Ancestors by his own Immediate Hand, all hopes of supplies from *Wales*, or other well-affected Places, vanished. *Cromwell* also followed the King from *Scotland* in great Marches, having left General *Monk* (since the famous Duke of *Albemarle*) there with an Army to subdue the little strength that remained for maintaining his Majesties Interest in that Kingdom. The day after *Cromwell* came before *Worcester*, the King called a great Council of War, to consider what was to be done, where the Duke spoke first, and after he had in as short terms as was possible opened the state of Affairs, he said one of three things must be done; Either they were to March out and fight, to lie still and provide for a Siege, or to March to *London*, the other side of the *Severn* being then free. He proposed the Difficulties of all these, yet said one of them was to be done, and desired that his Majesty might put it to the debate, which of them was fittest. None proposed a fourth Expedient. But the Duke did afterwards suggest, if the Marching into *Wales* might be adviseable; but as they were in the debate, before the half of the Council of War had delivered their opinions, there came an Alarm to the door that dissolved the Meeting. This was four days before the Fight, the Enemy grew daily stronger, and raised the whole Country to his Assistance; and as the Kings small Army was utterly disproportioned

*An. 1651.* oned to their Strength, so the Courage of the Souldiers did daily abate; and the Duke as he clearly foresaw the ruine of the Kings Affairs at that time, and the Captivity of his Country that would follow; so he desired not to out-live it, which he plainly told to some of his more intimate Friends, though for encouraging others, he put on a great appearance of Cheerfulness on his looks: but apprehending that his End drew nigh, notwithstanding all the Attendance he was obliged to at Court, and with the Army; yet he set off large portions of his Time for reviewing his Life, and fitting himself for Eternity; and when his Employment all day denied him the conveniency of such long and serious Retirements as that Work required, he took it from his sleep in the night, being more solicitous for rest to his Mind than to his Body And the night before the often fatal third of *September*, which was the day of *Worcester-Fight*, though he had stayed very late in the Court; yet when he came to his Lodgings, the apprehensions he had of what was before him kept him awake and serious, as will appear from the following Paper which he wrote, and was found in his Pockets when they were searched after his Death.

The Duke apprehends and prepares for Death.

A Meditation on Death, and a Prayer.

**W**HEN sadness for any Worldly Cross lies heavy upon thee, remember thou art a Christian, designed for the Inheritance of Jesus; or if thou be an obstinate impenitent Sinner, as sure as God is just thou must perish; if this be thy Condition I cannot blame thee to be sad, sad till thy heart-strings crack. But then why art thou troubled for the loss of Friends, Fortune, or for any Worldly want? what should a damned man do with any of these? did ever any man upon the wrack afflict himself because his Mistress slighted him, or call for the particulars of a Purchase upon the Gallows? if thou dost really believe thou shalt be damned, I do not say it will cure all other Sadness, but certainly it will, or ought to swallow it up.

And if thou believest thou shalt be saved, consider how great is that Joy, how infinite is that Change, how unspeakable is the Glory, how excellent is the Recompence for all thy Sufferings in the World. So let thy Condition be what it will, compared to thy future possibility, thou canst not feel the present smart of a cross Fortune to any great degree, either because thou hast a far bigger Sorrow or a far bigger Joy. Here thou art but a Stranger travelling to a Country, where the Glories of a Kingdom are prepared for thee; it is therefore a huge folly to be much afflicted, because thou hast a less convenient Inn to Lodge in by the way.

Let us prepare our selves against Changes always expecting them, that we be not surprized when they come. O death, how bitter art thou to a man that is at rest in his Possessions; to the rich man, who had promised himself ease and fulness for many years, it was a sad Arrest that his Soul was surprized the first night. But the Apostles who every day knockt at the Gate of Death, and lookt upon it continually, went to their Martyrdom in peace and evenness. Anytus and Miletus may kill me, but they cannot hurt me: we are troubled on every side, but not distressed; perplexed, but not in despair; persecuted, but not forsaken; cast down, but not destroyed: and who is he that will harm you, if ye be followers of that which is good?

Consider that Afflictions are oft-times the occasions of great Temporal Advantages, and we must not look upon them as they sit heavy us, but as they serve some of Gods ends, and the purposes of Universal Providence: and when a Prince fights justly, and yet unprosperously, could he see the reasons



sons for which God orders it, he would find it unreasonable, nay ill, to have it otherwise. If a man could have opened one of the Pages of Divine Counsel, and seen the event of Joseph's being sold to the Merchants of Midian, he might with much reason have dried up the young man's Tears. The case of Themistocles was not much unlike that of Joseph, for being banished he likewise grew in favour with the Persian King, and told his Wife, he had perished unless he had perished. God esteems it one of his Glories to bring good out of evil, and therefore it were but reason we should leave God to govern his own World as he pleases, and that we should patiently wait till the Change come, and likewise not envy the Prosperity of the wicked. Rest in the Lord, and wait patiently for him; fret not thy self because of him who prospereth in his way, because of the man who brings wicked devices to pass; for evil doers shall be cut off, but those that wait upon the Lord shall inherit the Earth. Theramenes, one of the Thirty Tyrants of Athens, escaped when his house fell upon him, but was shortly after put to Death by his Colleagues in the Tyranny.

The last great Trial is Death, for which should we grieve, of all griefs it is the most unreasonable: for why should we grieve at that which is absolutely unavoidable? and it is not so much to be cared for how long we live, as how well we live, for that Life is not best which is longest. The shortning of our days is an Evil wholly depending on Opinion, for if men did now naturally live but Twenty years, then we should be satisfied if they died about 16 or 18. We call not that Death immature in any who live to Seventy, and yet this Age is as far short of the old Period before and since the Flood, as he who now dies of eighteen is of Seventy. Let us still be ready for it, and it cannot come too soon, for let us die young or old, still we have an Immortal Soul, and do lay down our Bodies for a time, as that which was the Instrument of our Sorrow and Trouble, and the Scene of Sickness and Diseases: let us not then fear that which rids us of all these, for by fearing it we shall never the more avoid it, but make it the more miserable to us. Fanius who killed himself for fear of Death, died as certainly as Porcia who eat burning Coals, or Cato who tore out his own Bowels. To die is necessary and natural, and may be honourable; but to die poorly, basely, and sinfully, that alone is that which can make a man miserable, for no man can be a Slave but he that fears pain, or fears to die; to such a man nothing but peaceable times can secure his Quiet, for he depends upon things without him for his Felicity, and so is well but during the Pleasure of his Enemy, a Thief or a Tyrant: but blessed is he who willingly resigns his Soul and Body into Gods hands, as unto the hands of a blessed Creator and Redeemer.

**O** Blessed Jesus, thou didst die for me, grant that I may with Joy submit unto thy Summons, when thou shalt call me to Death, for thou art my Advocate as well as my Judge, and camest into the World to save sinners, whereof, O Lord, I acknowledg I am the greatest: but thy Mercies are infinite, O God of Mercy and God of all Comfort, with much mercy look upon the sadness and sorrow of thy Servant; my Sins lie heavy upon me, and press me sore, by reason of thy hot displeasure; my Miseries are without comfort, because they are the punishments of my Sins: my Sin hath caused my sorrow, and my sorrow doth not cure my Sin, and unless thou for thy own sake, and meerly because thou art good, pity me, I am as much without Remedy as without Comfort. Lord pity me, let thy Grace refresh my spirit, let thy Comfort support me, thy Mercies

An. 1651. *cies pardon me, and let not my portion be among helpless and accursed Spirits, for thou art good and gracious, and I throw my self upon thy Mercy; suffer me never to let my hold go, and do then with me what seems good in thy own eyes. I cannot suffer more than I have deserved, and yet I can need no Relief so great as thy Mercy is, for thou art infinitely more merciful than I can be miserable. Lord, make me the object of thy Mercy, both in my Life and in my Death; & if even this day thou shalt think fit to remove me from this valley of miseries, either by the violent hand of this merciless Enemy, or any other way which in thy Providence thou hast ordained, when my Soul shall go out from the Prison of this Body, may it be received by Angels, and preserved from the horror and amazements, and the surprize of Evil Spirits, and be laid up in the Bosom of our Lord, till at the day of thy second Coming it shall be reunited to the Body; which is now to be laid in the dust, yet I hope shall be raised up in Joy to live for ever, and behold the Face of God in the Glories of our Lord Jesus, who is our Hope, our Resurrection, and our Life, our Blessed and ever-Glorious Redeemer, to whom with the Father and the Holy Spirit be all Honour and Glory, for ever and ever. Amen.*

In these Exercises he continued till it was almost morning; and then he threw himself down on the Bed, where he did not lie above two hours when he was called on to make ready, and as soon as he was Dressed and Armed, he waited on the King into the Field.

The Dukes  
Regiment  
charges gal-  
lantly at Wor-  
cester-Fight.

The Account of that Engagement is not here to be offered, since nothing belongs to this Work but that wherein the Duke was concerned. His Regiment was commanded to charge a Body of Horse and Foot, that stood near two peeces of Cannon not far from the *Severn*: but there were two great Bodies of Foot standing on each side of the Lane, through which they were to go, and these firing on them as they passed, they received great Loss; but having got through the Lane, there was no coming to the Enemy, who stood in a close Ground, but through a Gap in the Hedge, through which the Lieutenant Collonel with a very inconsiderable Number Charged, and the Enemy gave ground, and left the Cannon in their hands, the Horse retiring to *Hacker's* Regiment, who came up and Charged, and was gallantly received by the Lieutenant Collonel and the Dukes Regiment: but some Foot brought to line the Hedges on their Flanks, Fired so on them that they were forced to retire. The Duke being near the Kings Person, and observing all that passed, inquired who they were, and being told it was his own Regiment, he thought it unworthy of him to be too far from Danger, when they were so put to it, and galloped all alone from the King to the place where they were; where he found them retiring, and did all he could either by words or threatnings to make them keep their Ground. But the Enemy did still bring up more Foot, and Fired unceasingly on them, and most of the Officers were either wounded, or had their Horses killed under them; particularly the Lieutenant Collonel, who had all the while Charged very gallantly, had his Horse shot under him, and so they were beaten back. The Duke himself kepted in the Reer, with such as were in a Condition to wait on him, to the great hazard of his Person, and gave signal demonstrations of a high Courage: but the Enemy following him close in great Bodies, he commanded some Foot to make good the Hedge against them, and rode up and down among them, and encouraged them to stand and die for the

His great Va-  
lour.

Service

Service of their King, and the Honour of their Country; and did several times Charge down to the Hedges, so that all were astonished at such daring and unusual Valour. But the Enemy pressing on, he rode again with his Pistol in his hand to the Hedge, where he received the fatal Shot that quite disabled him. His Majesty hearing of the extreme Danger he exposed himself to in these Charges, and knowing well how great a loss he would suffer, if so brave a Commander and such a wise and faithful Counsellor were killed, sent once & again to call him away from that Hazard he was in, but he choosed to prefer his Majesties Service to these most obliging Commands; yet being disabled by the Wound he got, he was forced to retire to the Town. The total routing of the Army quickly followed, and by the taking of *Worcester* that night he fell into the Enemies hands.

An. 1652.

He is wounded

And taken.

When he came to his Lodgings his Wound was searched by the Kings Surgeon, Mr. *Kincaid*, who found that by a slug-shot the Bone of his Leg, a little below the Joyn, was crushed, and so broken that many Splinters with the Bullet were taken out at first dressing, and many more fragments were at several other dressings separated from the Bone; and the Surgeon told him, the only way to save his Life, was to lose his Leg. But *Trappam*, *Cromwel's* Surgeon, being sent by him to wait on the Duke, assured him there was no hazard. Two days after the Duke was wounded, the Kings Physitian, Sir *Robert Cunningham*, being found out among the Prisoners, was brought to him, who found he had lost much blood by his Wound, and therefore opened a vein in his Arm, which diverted the Course of the Blood. Then the Duke asked his opinion about him, who told him plainly, there was no hope of saving his Life but by cutting off his Leg, and if that were done some hopes remained; but *Trappam* having assured him there was no hazard, he was not willing to submit to so severe a Sentence, till he were further satisfied of its being absolutely necessary: therefore he sent to *London* for Mr. *Dickson*, who was an expert Surgeon, in whom he had great Confidence, and he came to him with all possible haste; but it was too late, for the Dukes Strength and Spirits were so wasted that they durst not adventure on the Operation. During these few days of the Dukes Life, he expressed great Composure of mind, and a cheerful willingness to welcome his approaching End, which drew on apace; nor shewed he anxiety or concern in any thing but his Majesties Preservation, for which as he prayed constantly, so he still enquired News concerning him, and blessed God that he heard none, judging from that that he was safe and had escaped. On the 8<sup>th</sup> of September, finding his Strength failing him, and looking on himself as a dead man, he sent his last thoughts to his Lady and Nieces in the following Letter written with his own Hand.

Dear Heart,

**Y**OU know I have been long labouring, though in great weakness, to be prepared against this expected Change, and I thank my God I find Comfort in it, in this my day of Tryal; for my Body is not more weakned by my Wounds, then I find my Spirit Comforted and Supported by the infinite Mercies and great Love of my Blessed Redeemer, who will be with me to the end and in the end.

He writes to his Lady.

I am



An. 1652. *I am not able to say much more to you, the Lord preserve you under your Tryals, and sanctifie the use of them to the Comfort of your Soul.*

*I will not so much as in a Letter divide my dear Nieces and you; the Lord grant you may be constant Comforts to one another in this Life, and send you all Eternal Happiness with your Saviour in the Life to come: to both of your Cares I recommend my poor Children, let your great Work be to make them early acquainted with God, and their Duties to him; and though they may suffer many wants here before their Removal from hence, yet they will find an inexhaustible Treasure in the Love of Christ. May the Comforts of the Blessed Spirit be ever near you in all your Straits and Difficulties, and suffer not the least repining to enter into any of your Hearts for his Dispensations towards me, for his Mercies have been infinitely above his Justice in the whole Pilgrimage of,*

Dear Heart,

Worcester, Sept. 8.

1651.

Your Own,

HAMILTON.

His Death.

ON the 11<sup>th</sup> of September the Dukes Pulse failed quite, which he discerned first himself, and called for his Physician to whom he said he felt no pain nor sickness, but could not discern his Pulse to move, and no more did his Physician; but imputing it to malignant vapors rising from his Wound, he gave him some Cordials which made no Change upon him: and then his Spirits quitting all their Natural operations retired to his Brain, and his Intellectual Faculties, his Memory, Reason, and Expression continued in their vigor for the space of twelve hours; after that, his Voice was likewise entire and strong. The total cessation of the Arterial Motion, together with a Marmoreous coldness, that was creeping up by degrees from all his extremities, made his Physician warn him that Death was approaching; the Duke answered, that from the beginning he apprehended his Wound would prove Mortal, but he could not think Death was so near him, since he found neither sickness, pain, fainting, nor oppression trouble him. He had been during his Sickness oft waited on both by the Ministers of Worcester, and the Ministers who waited on the Kings Army, whom he called for; and as they Prayed and ministred Divine Consolations to him, so they were much comforted and edified with the Christian Courage and Joy he expressed in these his last and closest Conflicts. From six in the morning on the 12<sup>th</sup> of September he lay quiet speaking little, but was observed all the while by these who looked often to see what he was doing, that he was well imployed in mental Prayer and devout Ejaculations. About nine a Clock being asked by his Physician how he was, he answered his Heart was free of Sickness; but added, *That he should tell his Relations in Scotland, that he died believing, that through the Merits of the Mediator the Lord Jesus Christ, the Lord his Righteousness, and through the infinite Mercies of his God, it should fare with him as with the idle Labourers, in the Parable of the Vineyard, who went in at the 11<sup>th</sup> hour and yet received the peny; so he believed, that though in the last hour of the day he had entred into his Masters Service, yet he should receive his peny.* From that time he lay quiet, and about twelve a Clock, after three groans, without any other struggling or passion of Death, he breathed out his Soul, and his Body was interred in the Cathedral Church

Church of Worcester ; for though according to his Orders for burying *An. 1651.* him with his Ancestors at *Hamilton*, his Servants did move earnestly that they might have leave to carry his Body to *Scotland*, yet it was flatly denied.

When the news of his Death was carried to *Scotland*, his Will was opened, which follows.

### In the Name of God, *Amen.*

**I** William Duke of Hamilton, &c. being, I thank God, in perfect Health ; yet considering the uncertainty thereof, and the many Dangers that all men are subject to, and few more than my self, am desirous to leave my Worldly Affairs at the time of my Death in the best order I can, as it shall please the Lord to direct me, to whose Providence and Dispensation I humbly and wholly submit my self, falling down before the Throne of his Mercy, who is both the just Inflicter of Death upon us, and the merciful Saviour of us in it, and from it ; who is the fountain of Eternal Life, and in whom there is no shadow of Death. Thou, O my Saviour, who knows what it is to die with me as a man, make me to know what it is to pass through Death to Life with thee, my God : make me content to leave the World's Nothing, that I may come really to enjoy All in Thee, who hast made Christ to me in Life gain, and (trusting only in his Merits, and Mediation) will in Death be advantage. Charge me not, O Lord, with the Sins of my Parents, nor with the multitude and hainousness of my Transgressions, which I acknowledge before thee. Remember thy Compassions of old, and thy Loving kindness which have been for many Generations. Be merciful unto me, O Lord, for my Soul trusteth in thee ; though thou shouldest kill me, yet will I trust in thy Mercy, and my Saviour's Merits, for I know that my Redeemer liveth : though thou ledest me through the valley and shadow of Death, yet shall I fear none Evil, falling into the Arms of thy tender and Eternal Mercies. O withdraw not thy Favour from me, which is better than Life ; be not far from me, for I know not how near Death is to me. Lord, let thy Servant depart in peace, for mine eyes have seen thy Salvation.

My Body I bequeath to the Grave, and desire to have it buried in the ordinary Burial-place of my Ancestors at *Hamilton*, and that no Ceremony nor Pomp at all be used at the interring of my sinful Carcase, which hath so much offended and dishonoured God ; yet through Faith I hope it shall be sprinkled with the precious Blood of Jesus Christ, and being re-united with my Soul, shall together rise in Glory, reconciled with the Father, to enjoy Eternal Happiness with him in Heaven.

After this follow the Particulars of the Will, which he concludes in the following Words.

And now, O Lord, pity me in my low Condition, and bring me out of my Troubles ; though the number of my Enemies be great, yet thou canst disappoint their Counsels ; keep them, Lord, from prevailing, and turn them back that persecute my Soul. If it be thy Will, O Lord, restore me to my Country, that there in peace I may finish the course of my Pilgrimage in thy fear, and live loyal and obedient to my Gracious King Charles the Second, and faithful and dutiful to my Country : and as I trust that through the Merits and

K k k

Me-

An. 1652. *Mediation of Jesus Christ, thou hast forgiven all the errors of my Life, so I beg and hope thou wilt save me from the terrors of Death. Let not, O Lord, at that last hour my Soul be desolate and forsaken; let not those saving Truths I have formerly learned then fail my Memory, nor the sweet effusions of thy Spirit which I have sometimes felt, then be wanting to my Heart; be with me at that time, O Lord, in a special manner, and send the blessed Comforter to assure me of Salvation, that I may die with Joy, and leave this World with Contentment, since I shall be confident of the Remission of my sins through Christ Jesus, and of my going to that place of eternal Happiness, which thou hast prepared for all them that fear thee in Christ; to which place bring me for his sake, to whom with thee and the blessed Spirit of Grace be all Honour, Praise and Glory, for ever and ever, Amen. Written by myself at the Hague in Holland the 21<sup>th</sup> of March 1650.*

HAMILTON.

To which shall be added a Letter that was Sealed up with his Will to his Lady.

Dear Heart,

**A**lthough a very short stay in this place may possibly endanger my Life; yet seeing these may chance to be the last words you are ever to receive from me, no hazard shall keep me from letting you know how sensible I am of the great Love and Kindness you have always had for me, for which the Lord reward you, unto whose Protection I leave you: and as I do recommend you to God, who will be near unto all that call upon him, and fulfil the desires of them that fear him, and preserve all them that love him; so I do recommend you unto your self, that you would labour to serve, fear, and love the Lord God, and set him before your eyes in all your ways. Continue (as I have often been a witness to) your daily practice in reading the Word of God, which will be a Lamp unto your feet, and Light unto your paths. Look not with prejudice upon any of the Messengers of his Word, but reverence them for their Message sake: be not too confident of your own Opinions, but examine them by the Touchstone of Gods Word, and refuse not to hear the admonition of his Servants. Repine not at Gods ways or dispensations to you, but be patient in Affliction, that you may say with David, I held my tongue, I opened not my mouth, because thou didst it. For you may have this Comfort that whom God loves he Chastens, and really if God had not said it, man would hardly believe that Affliction cometh from his Love. But if we admit his Truth, and consider Experience, we shall find that he often afflicteth them most, whom he loveth most, and who most love him. As for those whose eyes stand out with fatness, and have more than their hearts can wish, he setteth them on slippery places, and feeds them as Oxen to the Slaughter. He is nearer to us in Affliction than in Prosperity, and we are nearer unto him: it is his menage to bring us home from our Wandrings, at least I have lookt upon it so as to my self, which makes me thus desire you may so receive his Visitations. Be frequent in Prayer, & limit not the Spirit in you to the conceptions of other men: shun all vain and idle Company and Conversation, and pray to the Lord to set a watch before your mouth, and to keep the door of your lips. Forget and hate the empty pleasures of a licentious Court, or of London, and with

David



David pray, Turn away my eyes from beholding vanity, and quicken *An. 1651.* thou me in thy way. Be not hasty nor passionate, keep not anger in your heart against any, have Charity for all men, even for them whom you may look upon as your Enemies, and study still rather to put the best than worst construction upon the Actions of any. Examine your self every night what good you have done the preceding day; and remember still that you are one day nearer that in which you must give an account to God of all your Actions, on whose Mercy to you let your earliest and latest thoughts be always fixt. Sweet Heart, much more I would say, but you know I am pressed by time; but seek to God, and in him you will find all things.

The next Duty I shall recommend to you, is, that which you must pay your King: I know you need no Incitements to this Duty, else I would insist longer upon it; but I conceive it mine to recommend it to you as the Earthly thing which in the first place you ought to study.

Next unto that prefer your Duty to the preservation of the House of Hamilton to all things else in this World, and make no difference in the testimonies of your kindness to it, whether the Lord shall think fit to continue the memory of that House in your own or my dear Brothers Issue. And I do conjure you, if you have any respect to my desires, not to suffer any difference or mistakes to arise betwixt you and them; but remember him who prefer'd me to them, and what consequently my Duty and yours is to his.

Next I recommend to you the cure of the Education of our Children: for the Lords sake study to get them acquainted with God in their young years, and to imprint his fear in their tender hearts, keep all light and idle company from them, and labour to make them rich in Piety and Vertue, Loyal to their King, and dutiful to the House of Hamilton.

As I hope all my Friends and Kindred will be dutiful to you, so I intreat you for my sake continue your respects and kindness to them.

Be careful to keep none but pious and discreet Servants in your Family, that the Lord being served and worshipped in it according to his Will, may delight to dwell in it, and to bless every member of it.

And now, Sweet Heart, seeing you know that these divers years my Life hath been a burden to me, receive my Removal as a Mercy from God, with that moderation which he commandeth, and the hope of a Joyful meeting in our Resurrection perswadeth; being confident that the Lord hath placed me in Eternal Happiness with himself in Heaven, where he hath already laid up some pieces of my self, little James and Diana. The Lord who hath wounded you, bind up your sores, and pour the Balm of Gilead in your Heart; even the Comforts of the Holy Spirit, in the assurance of the Remission of your sins, and peace with him in Jesus Christ, that his Grace in you may shine to the World in a godly and virtuous Life, which having finished in his fear, you may hereafter enter with him into that Glory, which I trust in the Mercies and Mediation of Jesus Christ my Redeemer I shall be sharing of, when you shall be reading these last words and expressions from, Dear Heart,

Your

HAMILTON.

**T***He Dispositions which you made to me of your Lands in England, I do here again return to you, to be disposed upon by you as you shall think fit, being confident that you will not wrong the House of Hamilton, or your Children, in the Disposal thereof.*

The Conclu-  
sion.

I shall conclude this Work with these Papers, which, though some nice Palats may think not so fit for the Publick, and better for private Closets than the World, yet I could not be of that opinion; for in an Age in which the sense of Piety and Religion is so much decayed, I thought such testimonies to the Power of it were not to be suppressed; by which it will appear, that a high-spirited and Great Person, who had tasted of all the Follies that bewitch the greatest part of men, did in end, in the vigour of his Years and Spirits, abandon them with all the seriousness of a hearty and lively Repentance, and found in God and true Religion such solid satisfaction and joy, as did wholly overcome him, and engage him into a course of strict Piety and of a holy Life. I wish this may work some effect upon a loose and debauched Generation, and if the World becomes either better or wiser through my pains, I have gained my chief end and design in this Work.

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*THE END.*

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THE

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## THE END.

